

Appendix B: Public Concern: Wildlife and Vegetation	Response
Non-native Invasive Species, General	
Increased rate of spread of invasive species is contrary to the Forest Plan: D-VG-1, D-VG-2, D-ID-2, D-WL-1, D-WL-5, D-WL-6, S-WL-7, O-WL-8, O-WL-39, G-WL-25.	<p>Keep in mind that this EA addresses the access available for ORVs, not whether or not ORV use should be allowed on the forest. The decision will not open any new routes to ORVs. The action alternatives limit access to existing roads by ORVs. And the decision does not change use by highway licensed vehicles on system roads.</p> <p>The Forest recognizes that ORVs can be a vector to introduce or spread NNIS. In the existing situation, because ORVs currently have access to areas, it is assumed the NNIS has already been introduced where the potential exists. Closure of access routes should not result in an increase in NNIS spread but result in a decreased potential for spread in the future which would be beneficial. Non-native invasive species may be introduced and continue to spread unchecked, if off highway vehicle use remained as is and unregulated. Alternatives 2 and 3 would reduce off highway vehicle use over the existing condition, thus reduce the potential rate of spread of NNIS.</p> <p>Alternatives 2 and 3 would reduce existing roads open to off highway vehicles from 1,530 miles to 1,384 and 880 miles, respectively, out of 5,831 total road miles across the Chippewa National Forest.</p> <p>All action alternatives would reduce off highway vehicle use on low standard roads, and consolidate off highway vehicle use on high standard roads. All action alternatives would reduce the spread of nonnative invasive species by linking existing trails, rather than cutting through interior forest.</p> <p>Some riders of off highway vehicles tend to explore low standard roads, and push as far as they can go into the forest. Spur roads tend to penetrate deeper into the forest over time, with each successive pass by off highway vehicles. Alternatives 2 and 3 would reduce the number of dead end spur roads less than 1/4 mile in length, and reduce the spread of non-native invasive species into the forest.</p> <p>Alternatives 2-4 would reduce off highway vehicle use from 94 to 84, 50 and 65 Forest Service roads, respectively, across utility corridors, and reduce the threat of non-native invasive species spreading from utility corridors into the forest.</p> <p>Forest Plan standards and guidelines relevant to recreational motor vehicles: O-TS-3: Objective maintenance level 1 or temporary roads are not intended for public motorized use. All newly constructed objective maintenance level 1 roads will be effectively closed to motorized road and recreation vehicles following their use, unless they are needed for other management objectives. S-RMV-1: Recreational motor vehicle use on unclassified roads is prohibited. S-RMV-4: Cross-country off highway vehicle and snowmobile travel is prohibited. G-RMV-3: Travel with off highway vehicles is generally prohibited in ditches and on shoulders on National Forest System roads.</p> <p>Please see also the response to “Non-native Invasive Species, General” header.</p>
ORVs are a major cause of the spread non-native invasive species.	
Non-native invasive species are one of the 4 top threats to the nation's forests and rangelands.	
ORVs often travel in areas infested with non-native invasive species, such as road shoulders, ditches, and gravel pits.	
ORVs carry propagules, beat down vegetation, and disturb the soil so that non-native invasive species can become established.	
The spread of non-native invasive species is exacerbated by ORVs that ride off trail.	
ORVs spread non-native invasive species at intersecting routes and undesignated routes.	
One ORV can spread non-native invasive species by violating an administrative road closure.	
ORVs are highly effective vectors for the spread of non-native invasive species.	
Non-native invasive species degrade ecosystem health.	
The best way to deal with noxious weed populations is to keep them from becoming established in the first place. This involves detecting situations that might introduce weeds.	<p>Current management activities or activities under decision not yet implemented that cause ground disturbance are accompanied by mitigation measures designed to keep NNIS from becoming established. For examples, typically revegetation with native grasses and forbs is prescribed for disturbed sites associated with harvest activities which include landings, skid trails, or decommissioned roads. There are also timber sale contract clauses for washing equipment to minimize the spread of NNIS plants (refer to project file).</p>
ORVs are more effective than other forms of terrestrial recreation at spreading non-native invasive species.	<p>On going efforts on the forest to contain or control the spread of existing populations include mowing, hand pulling or excavating plants, torching to scorch plants, and use of biocontrol agents.</p> <p>There is no information to indicate that reducing ORV use will significantly reduce NNIS.</p>
Non-native Invasive Species, Specific	

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The project requires an environmental impact statement. Survey for Minnesota Species in Greatest Conservation Need. Survey for non-native invasive species. Survey for reed canary grass and hybrid cattail in marshy areas.	<p>Based on the environmental effects documented in the environmental assessment and project file, the project does not constitute a major Federal action that will significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement is not needed. The U.S. Fish and Wildlife Service has concurred with the Forest Service determination that the proposed project is not likely to adversely affect any federally listed threatened and endangered species, or adversely modify their critical habitat.</p> <p>The National Forest Management Act administratively lists regional forester sensitive species whose viability is of concern within the eastern region of the Forest Service. The Chippewa Forest Plan identifies 48 regional forester sensitive species, whose viability is of concern on the Chippewa National Forest due to their rarity, limited range, or susceptibility to management activities. Some of these include species listed for Species in Greatest Conservation Need for Minnesota. A crosswalk between the RFSS species and SGCN in the project file shows the relationship between them. It should be noted that there are no plants on the SGCN list.</p> <p>The purpose of the biological evaluation is to ensure that Forest Service actions do not contribute to a loss of viability of any native or desired non-native species, or contribute to a trend towards federal listing. The selected alternative complies with the Forest Plan objectives, standards, and guidelines relative to threatened and endangered species, regional forester sensitive species, management indicator species, management indicator habitats, non-native invasive species, other species of interest, and aquatic communities on National Forest land.</p> <p>The proposed Alternatives 2 and 3 would reduce off highway vehicle use in wetlands from 101 miles to 67-39 miles, and reduce the spread of aquatic non-native invasive species such as reed canary grass and hybrid cattail. Reed canary grass and hybrid cattail are aquatic; wind dispersed, less likely to invade upland forest interiors, and benefits little from off highway vehicle use. Although the Forest has some information on reed canary grass and hybrid cattail, generally these species are so pervasive and widespread, treatments would be costly. Rather the focus on the Forest has been on these primary species—spotted knapweed, leafy spurge, purple loosestrife, buckthorn, and garlic mustard. Spotted knapweed can be spread by off highway vehicle use, although spotted knapweed is restricted to open and generally disturbed habitats, and less likely to invade upland forest interiors. Off highway vehicles probably do not account for ecologically-significant seed dispersal. Garlic mustard, purple loosestrife, and leafy spurge are highly invasive, with garlic mustard most likely to use off highway vehicle trails as an invasion pathway (Tom Rooney, 2003, Distribution of ecologically-invasive plants along off-road vehicle trails in the Chequamegon National Forest, Wisconsin. Department of Botany, University of Wisconsin-Madison.) The only location of garlic mustard on the Forest is on Stony Point. The Forest Service Road in this area is closed to ORV use in all action alternatives.</p>
ORV use on higher maintenance level roads would increase the spread of non-native invasive species.	Alternatives 2-4 would reduce off highway vehicle use on low standard roads, and consolidate off highway vehicle use on high standard roads. All alternatives would reduce the spread of non-native species by allowing off highway vehicles on the road surface, which would reduce travel on infested ditches and shoulders in violation of Forest Service policy. National Forest, State, and County law enforcement would be more practical and effective on higher standard roads. Alternatives 2-4 would reduce the spread of nonnative invasive species by linking existing trails, rather than cutting through interior forest. <a href="http://whyfiles.org/182roads_in_wild/3.html">http://whyfiles.org/182roads_in_wild/3.html</a>
<p>ORV use is the most damaging form of outdoor recreation. Threat of non-native invasive species.</p> <p>ORVs cause more ecological damage than highway-licensed vehicles. Administrative road closures are not enough to protect sensitive resource areas.</p> <p>ORVs are more powerful vectors for non-native invasive species than non-motorized recreation or highway-licensed vehicles.</p>	Logging trucks and high-clearance pickup trucks would continue to use roads that are closed to off highway vehicles and also contribute to the spread and distribution of NNIS. Off highway vehicles have less impact than 4 by 4 pickup trucks, due to vehicle weight, power, and number. Although administrative closures to off highway vehicles only are not as desirable as physical road closures for all motorized vehicles, administrative road restrictions are a step in the right direction. Please see the response to “non-native species, general” for a discussion of off highway vehicle use and non-native invasive species.
Analyze cumulative effects of ORV roads in areas with non-native invasive species, especially at campsites.	Closing existing roads to ORVs are shown to reduce the potential to spread NNIS, thus be beneficial rather than have an adverse effect. The existing condition, No-Action alternative, is the most impactful to resources analyzed in the EA. The action alternatives result in varying degrees of improvement and benefits. There are no new ground disturbance activities associated with this EA that would create new sites for the establishment of NNIS.

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	<p>In anticipation of having an NNIS Plants EA completed in FY 08, additional benefits should be realized as existing areas of infestation (roadsides, landings, gravel pits, utility corridors, decommissioned roads) are controlled or contained through treatments in upcoming years. The EA will also be programmatic in nature, thus new infestations on high risk sites will be addressed in the EA and then can quickly be treated, if established. The proposed action has not yet been developed and scoping has not yet occurred for the NNIS EA. Cooperative plans and actions with adjacent owners, especially the counties, the Leech Lake Reservation, and the DNR, are underway to increase efficiencies and effectiveness associated with treatments. All of these actions—closing existing roads to ORVs, future treatments of NNIS, future road decommissioning, and cooperative weed treatment plans and treatments should result in both short and long term benefits.</p> <p>The analysis in ORV EA covers the entire Chippewa National Forest. The alternatives are designed to improve the existing condition addressed in the No-Action alternative. Potential ORV routes on the Counties or State lands are undetermined at this time. Refer to pages 23-24 of the EA. Virtually all our vegetation projects identify roads that will be decommissioned and/or closed in upcoming years which should further minimize NNIS spread and benefit other resources as well.</p> <p>It should also be noted that the National NNIS Strategy and R9 NNIS Framework are very comprehensive; consequently the Forest determined that a local strategy was not needed. The NNIS Plants EA will use the national and regional information as a framework and background.</p>
The Chippewa National Forest must complete a strategy to extensively monitor and prevent the spread of non-native invasive species before amending the Forest Plan.	The proposed amendment is a non-significant amendment to the Forest Plan to an ORV guideline with the existing wording “ORV use is generally prohibited on OML 3,4,5 roads” to “ORV use is prohibited on OML 3, 4, and 5 roads, except where they have been designated as open for ORV use through site-specific analysis” . The amendment provides clearer direction and the change is supported by the key issues and analysis contained in the EA. It is unclear why having a NNIS strategy to monitor and prevent NNIS is recommended and necessary to support this amendment.
Cumulative effects including non-native invasive species survey data must be assessed in a full EIS on the project.	Based on the environmental effects documented in the environmental assessment and project file, the project does not constitute a major Federal action that will significantly affect the quality of the human environment. Therefore, an Environmental Impact Statement is not needed. Please see the cumulative effects analysis on pages 17-19 in the environmental assessment, and responses under “Non-Native species, Specific” header.
Non-native Invasive Species Surveys	

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<p>Withdraw the off highway vehicle road travel access project until surveys are completed for non-native invasive species.</p> <p>Do not designate ORV routes until all locations of non-native invasive species infestations are known.</p> <p>Finalize the ORV road travel access project only upon consideration of more thorough non-native invasive species survey data along roads.</p> <p>The project can do tremendous damage to the environment because ORVs are highly efficient at spreading non-native invasive species, and project planning occurred without complete knowledge of non-native invasive species locations.</p> <p>Designating ORV routes through areas infested with non-native invasive species will greatly accelerate their spread.</p> <p>ORV routes should not be designated in areas possibly infested with non-native invasive species.</p> <p>The Forest Service is not aware of many non-native species locations, because survey and inventory work has not been conducted.</p>	<p>Surveys and data collection is an ongoing process. Recent efforts were made to identify and map (develop a GIS layer) for the primary NNIS species on the CNF: spotted knapweed, leafy spurge, purple loosestrife, buckthorn, and garlic mustard. Ongoing efforts will be made to supplement this information and monitor treatments as funding is available. The management strategy would be to use the survey information available, albeit not complete, coupled with knowledge and information on the high risk sites (skid trails, landings, utility corridors, etc). This would allow the Forest to plan and implement treatments rather than wait until thorough, comprehensive surveys are completed on all campsites, portages, all public use areas, etc. which given funding and other resource priorities could be years away.</p> <p>Inventory data of non-native invasive species does exist along the Migizi bike trail, the Third River Road, and along other roads that are mowed by contract. Geographic information system maps are continually updated with older historical data, purple loosestrife infestations, annual monitoring of garlic mustard at Stony Point, and survey data recently collected. NNIS infestations along the Third River Road and Hwy 20 have been mapped. The Blackduck, Deer River/Marcell, and Walker ranger districts continually add infestation information along roadsides. Infested roadsides along US route 2 and the Third River Road are being revegetated in partnership with the Minnesota Department of Natural Resources, the Minnesota Department of Transportation, and the Leech Lake Band of Ojibwe.</p> <p>Please see responses under the “Non-Native Species, General” header.</p>

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<p>County Highway 20 and the Third River Road is substantially infested with non-native invasive species, but this information is not readily accessible in a format available to planning staff and the general public, which frustrates environmental review and informed public comment.</p> <p>The Forest Plan environmental impact statement directs that a non-native invasive species strategy would be developed, and occurrences monitored. These requirements have not been satisfied for the ORV project to continue.</p> <p>Survey data of non-native invasive species is spotty, and the ORV project must not be rushed through before this crucial data is available for consideration.</p> <p>ORV routes through non-native invasive species infestations such as spotted knapweed or garlic mustard would lead to a geometric rate of spread. Forest-wide non-native invasive species data must be considered during ORV project planning.</p> <p>Extensive surveys for non-native invasive species should be conducted along ORV routes at the earliest possible time.</p> <p>Annual monitoring must track non-native invasive species to measure trends relating to ORV use.</p> <p>ORVs are significant vectors for the spread of non-native invasive species, and the Forest Service must fully examine the impacts.</p> <p>Full survey data for all non-native invasive species are urgently needed on existing roads and trails for reasonable planning and to consider the effects of road designation.</p> <p>Essential non-native invasive species infestation survey data has not been collected or considered in order to base a reasoned decision. The wildlife report states that "No inventory data exists for exotic earthworms on the Chippewa National Forest, although most stands have been infested for many years."</p> <p>Essential non-native invative species data has not been compiled or considered for effective planning and public comment of the project.</p> <p>Roads must not be designated for ORV use near areas that suffer from non-native invasive species infestation. Non-native invasive species must be monitored frequently, and infested roads closed immediately.</p>	<p>Overall, although additional survey information on the location and distribution of NNIS is desirable, and additional analysis could be done, this information is a consideration but not critical to the decision being made by the Forest Supervisor on this project. The Forest will incorporate survey information as it comes available into future decisions. Future project will also have the flexibility to incorporate NNIS treatments on roads or infested sites as well. Annual reviews, changes, and updates to the motorized vehicle use map provide us with the opportunity and flexibility to incorporate and respond to new information that indicates risk or damage to resources.</p> <p>The only location of garlic mustard on the Forest is on Stony Point. The Forest Service Road in this area is closed to ORV use in all action alternatives. (Please see responses under the “Non-Native Species, Specific” header.)</p> <p>Forest Plan monitoring on NNIS has been identified as occurring on a 1-5 yr measurement, evaluation and reporting frequency (Forest Plan, p 4-13). The most recent inventory information on earthworms is summarized in the FY 2005 and FY 2006 Monitoring and Evaluation reports. It should be noted that the statement in the wildlife report “No inventory data exists for exotic earthworms on the Chippewa National Forest...” is not correct. Other NNIS species are planned for monitoring in 2009.</p>
Threatened, Endangered, and Sensitive Species	

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<p>The Chippewa is over-roaded. Trails should be located away from sensitive habitats, and nesting areas during the spring.</p> <p>ORV routes that are too close to sensitive species occurrences should not be proposed from motorized designation.</p>	<p>Note that the focus is on ORV access on roads that are currently in place. Locations of TES, wetlands, sensitive areas, etc. was considered in making recommendations on which roads to close to ORV use. Tables that accompany the road GIS layers provide details on the resource reasons for closures for each alternative.</p> <p>Please see the responses under the “Threatened, endangered and sensitive animals” header also.</p>
<p>The Forest Service should evaluate a much larger suite of wildlife for disturbance impacts by ORVs.</p>	<p>Disturbance impacts from off highway vehicle use are also evaluated on 51 federally threatened and endangered species, regional forester sensitive species, and management indicator species on the Chippewa National Forest. Management indicator species represent other species with similar habitat needs, and are monitored during Forest Plan implementation to assess the effect of management activities on their populations.</p>
<p>The Sierra Club is concerned that there are no specific mitigation measures during project implementation. We would like to see a detailed analysis of how the project will affect all sensitive species, and how Forest Plan standards, guidelines, and best management practices will protect sensitive species.</p>	<p>There are no specific mitigation measures for wildlife because all action alternatives would reduce existing off highway vehicle use, except for Alternative 4 which would allow for additional roads open to ORV use seasonally specifically for hunter access. None of the alternatives would change the current road density.</p> <p>Please see pages 2-24 to 2-34 of the Forest Plan for objectives, standards, and guidelines that protect sensitive species. Also refer to direction for interrelated physical and biological resources found in other sections of the Forest Plan. For a detailed analysis of how the off highway vehicle project may affect all sensitive species that occur in the project area, please refer to the biological assessment and biological evaluation that is available in the project file and are available upon request.</p>
Threatened, Endangered, and Sensitive Animals	
<p>Roads open to ORV use violate buffers to protect northern goshawk and red-shouldered hawk nest sites.</p>	<p>Off highway vehicle use would be most disruptive to northern goshawks in the nesting analysis area from 0 to 860 feet. Of 20.7 miles on all ownerships in the nesting analysis area, Alternative 2 would reduce off highway vehicle use from 8.5 miles to 7.5 miles on Forest Service roads; Alternative 3 would reduce ORV use to 1.7 miles. Off highway vehicle use could also disturb northern goshawks in the post-fledging analysis area from 860 feet to 0.5 miles from the nest tree. Of the 43.4 miles on all ownerships in the post-fledging analysis area, Alternative 2 would reduce off highway vehicle use from 17.3 miles to 14.9 miles on Forest Service roads; Alternative 3 would reduce ORV use to 3.8 miles.</p> <p>Of 6.7 miles on all ownerships in red-shouldered hawk nesting analysis area, all action alternatives would reduce off highway vehicle use from 2.9 to .3 miles on Forest Service roads depending on alternative.</p> <p>It should be noted that although ORV access is limited through this decision, OML 2, 3, and 4 roads are still usable by licensed motor vehicles.</p> <p>No permanent system roads have been constructed on the Chippewa since 1993; all roads have been temporary. It is likely that northern goshawks and red-shouldered hawks had built their nests after the roads were already in place. These breeding pairs are likely habituated to the low levels of truck, car, and off highway vehicle traffic that occurs across the forest. It is unfeasible to close major US routes, state highways, county road, township roads, and tribal roads because of public transportation and safety needs. Off highway vehicle use on objective maintenance level 3, 4, 5 roads in nesting and post-fledging areas was considered a trade off in an effort to consolidate use and improve Canada lynx habitat through a net reduction of compacted snow areas on low standard roads.</p>
<p>Wolves are delisted and will have a hunting season despite all these ORVs running around.</p>	<p>The recent delisting of the gray wolf from the U.S. Fish and Wildlife Threatened and Endangered Species list is a tremendous success story.</p>
<p>Bald eagles are being delisted.</p>	<p>The recent delisting of the gray wolf and bald eagle from the U.S. Fish and Wildlife list of Threatened and Endangered Species is a tremendous success story. The gray wolf and bald eagle are now designated as regional forester sensitive species, and the U.S. Fish and Wildlife Service will monitor their management for another 5 years. Protective measures identified in the Forest Plan will continue to be in effect and implemented.</p>

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The cumulative effects from all action alternatives meet endangered species act requirements for threatened, endangered, and sensitive species, Forest Plan requirements for regional forester sensitive species, management indicator species, and non-native invasive species, with Alternative 3 being the most desirable. How can we say that we meet all of the Forest Plan requirements if road density is above 2 miles per square mile?	<p>The open road densities in most lynx analysis units are above the 2 mile per square mile threshold in the Canada Lynx Conservation Assessment and Strategy. The average road density on all ownerships across all lynx analysis units is 2.81 miles per square mile. However, none of the alternatives would change the current road density; nor would they be contrary to direction from the FWS to not increase road densities Forest Plan guideline G-WL-8. Lynx effects are discussed in the FP FEIS, Volume 1, pages 3.3.4-18 and 19.</p> <p>The purpose and need for this project was to identify and manage access routes for ORVs, not to close roads to licensed motor vehicles or reduce road densities. Road densities and closures would be addressed in future projects—generally vegetation management projects. Forest Plan guideline G-WL-8: Prioritize road closures where existing road densities are greater than 2 miles per square mile. If reduction of road density is not possible or feasible, densities should not be increased above current levels.</p>
Many conclusions are dependent upon the erroneous presumption that road closures are effective, such as “Alternatives 2 and 3 would reduce human disturbance to gray wolves.”	<p>Please note that the decision is not based upon road closure effectiveness. This project would not physically close any roads (berms, gates, slash distribution or barriers) and none of the alternatives would change the current road density. This project would identify travel routes of Forest Service system roads that may be legally used by people driving off highway vehicles, and a motor vehicle use map would be available to the public to identify where riders can go. Logging trucks and high-clearance pickup trucks may continue to use those low standard roads that are closed to off highway vehicles. Because some roads would be available to ORV use, the potential for human disturbance would be reduced in some areas.</p> <p>(Information referenced in comments on road closure effectiveness is discussed in the Chippewa National Forest Monitoring and Evaluation Report, FY 2005 .)</p>
The Sierra Club is concerned with how off highway vehicles disturb sensitive animal and plant species on the Chippewa, especially the gray wolf, bald eagle, and northern goshawk. The Sierra Club would like to see population and nest data on these species	This project does not open up any new areas, and none of the alternatives would change the current road density. Logging trucks and high-clearance pickup trucks may continue to use those low standard roads that are closed to off highway vehicles. This project would identify travel routes on Forest Service system roads that may be legally used by people driving off highway vehicles. A motor vehicle use map would be available to the public to identify where riders of off highway vehicles can go. Alternative 2 and 3 would reduce existing roads open to off highway vehicles from 1,530 miles to 1,384 and 880 miles, respectively, across the Chippewa National Forest. Please see the environmental assessment for a summary of effects to the gray wolf, bald eagle, and northern goshawk on pages 12-15, and detailed information in the attached wildlife report. Population and nest data can be found in the biological assessment and biological evaluation in the project file, which is available to the public. The U.S. Fish and Wildlife Service has concurred with the Forest Service determination that Alternative 2, which is the most impactful of the action alternatives, of the off highway vehicle road travel access project may affect, but is not likely to adversely affect threatened and endangered species. The project complies with section 7 of the Endangered Species Act. Detailed information on some species is contained in past Monitoring and Evaluation Reports for FY 2004, 2005, and 2006.
The wildlife report concludes that Alternative 2 is most desirable for the northern goshawk and red-shouldered hawk.	Thank you for your comment, but you have misquoted the wildlife specialist's report to the off highway vehicle access project environmental assessment. Please see the conclusion under table 4 on page 13 of the wildlife report, which states "All action alternatives would reduce human disturbance to nesting northern goshawk in all analysis areas, with Alternative 3 being the most desirable." Please see the same conclusion for the red-shouldered hawk on page 14.
The wildlife report shows 21.8 ORV miles for Alternative 2 and 12.4 miles for Alternative 3 in red-shouldered hawk analysis areas.	Although Alternative 3 is the most desirable in the opinion of the wildlife biologist, Alternative 2 was proposed by an interdisciplinary team to meet the purpose and need. Alternative 3 was designed to place emphasis on resource protection, the ability to experience solitude, and environmental protection values. The differences in miles in red-shouldered hawk analysis areas reflect the differences in the alternative design.
The wildlife reports that there have been 4 probable lynx sightings on the Chippewa, while in fact there have been 5.	Thank you for the current numbers. Even though the numbers differ, it does not affect the analysis. Our role is to provide adequate habitat in the lynx analysis units for the Canada lynx on Chippewa National Forest.
The wildlife report states that Alternative 2 results in 33.9 miles of ORV use within 0.5 miles of lakes and fish-bearing streams, while Alternative 3 results in 8.2 miles. The analysis of ORV use in bale eagle habitat is dramatic evidence of the desirability of Alternative 3.	Refer to response 520.
Threatened, endangered, and sensitive plants	

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Actions that accelerate the rate of spread of non-native invasive species damage habitat for sensitive plant species such as the goblin fern.	There are 581 known locations of sensitive plant populations on the Chippewa National Forest. Most sensitive plants on the Chippewa are associated with mature northern hardwoods, lowland conifers, or wetlands. Microhabitat characteristics include an infrequent fire regime, an open understory, a ground layer of few shrubs, an abundance of large woody debris, and deep leaf mold. The presence of symbiotic micorrhizal fungi helps fine root hairs to absorb moisture and nutrients. Most non-native invasive plants would not compete well or survive successfully for the long term, under an intact forest canopy and with heavy ground cover. The Forest Plan established a 250-foot no activity buffer around any known goblin fern populations on the Chippewa National forest. Of the 19.9 miles of off highway vehicle use on all ownerships within 250 feet of all known sensitive plants, Alternative 2 would reduce off highway vehicle use on Forest Service roads from 6.0 miles to 4.2 miles; Alternative 3 would reduce off highway vehicle use on FS roads to 1.9 miles. All action alternatives would reduce the potential for trampling, browsing by white-tailed deer, snow compaction, soil compaction, invasion of exotic earthworms, and infestation of non-native plants.
ORVs should not be permitted to travel on roads through sugar maple and other northern hardwood stands, which are particularly susceptible to non-native species invasion.	Please see the responses under the “Non-Native Species General and Specific” headers.
ORVs should not be permitted on roads through sugar maple and other northern hardwood stands. The EA wildlife report identifies sugar maple and other northern hardwoods as the most susceptible communities to earthworm-caused damage.	Please see responses under the “Non-Native Species General and Specific” headers.
The wildlife report found that Alternative 3 is the most desirable choice for sensitive plants and non-native invasive species.	Please refer to responses under the “Threatened, Endangered and Sensitive Species” header.
The ORV project should not proceed in the absence of complete survey and inventory data regarding non-native invasive species infestation locations. It is not possible to plan to avoid designating infested roads that directly pass through goblin fern habitat.	Please see responses under the “Non-Native Species General and Specific” headers .
Hunting	
Hunters don't protest when public backcountry is chopped up by new roads and motorized trails.	None of the alternatives would change the current road density.
Unmanaged ATV use is reducing habitat security, increasing big-game vulnerability, and reducing hunting opportunities.	The need for managed ORV use is discussed on page 3 of the EA. A summary of wildlife effects are discussed in pages 16-18 in the EA, with more detail in the BE, BA, and wildlife report in the project file.
ORVs scare away potential game.	You are correct in noting that off highway vehicles scare away potential game, and do not improve hunters' success. Off highway vehicles are mainly used for game retrieval along Forest Service roads.
General Effects on Wildlife	
Wildlife disturbance, reduced reproductive success, and increased mortality.	A summary of wildlife effects are discussed in pages 16-18 in the EA, with more detail in the BE, BA, and wildlife report in the project file. Alternatives are designed to improve the existing condition described in Alternative 1, thus generally result in benefits to resources.



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The proposed action would have the same environmental effects as if nothing was done.	The proposed action, Alternative 2, could reduce existing roads open to off highway vehicles from 26% to 24%, or from 1,530 miles to 1,384 miles out of 5,831 total road miles across the Chippewa National Forest. Alternative 2 would reduce off highway vehicle use on 362 miles of low standard roads, and consolidate use on 216 miles of high standard roads, which would reduce human disturbance to gray wolves. Alternative 2 would reduce human disturbance to nesting bald eagles, in bald eagle habitat within 1/2 mile of lakes and fish bearing streams, and improve habitat in most lynx analysis units through a net reduction of compacted snow areas. Alternative 2 would reduce human disturbance to nesting northern goshawk and red-shouldered hawks in all analysis areas. Alternative 2 would reduce road fragmentation and human disturbance to other sensitive species such as black-throated blue warblers, bay-breasted warblers, Connecticut warblers, black-backed woodpeckers, and great gray owls in 1000+ acre large and mature upland forest patches. Alternative 2 would benefit aquatic sensitive species such as the four-toed salamander, least darter, greater redhorse, pugnose shiner, creek heelsplitter, fluted-shell mussel, black sandshell, and Vertree's caddisfly by reducing the potential for erosion and sedimentation in the riparian management zone within 200 feet of lakes and streams. Alternative 2 would benefit sensitive plants by reducing the potential for trampling, browsing by white-tailed deer, snow and soil compaction, invasion of exotic earthworms, and infestation of nonnative plants within 250 feet of sensitive plant locations. Alternative 2 would benefit sensitive plants by reducing the number of roads open to off-highway vehicle use that cross utility corridors, and the number of road spurs less than 1/4 mile in length, which would reduce the spread of non-native invasive plants across the Chippewa National Forest. Please refer to the wildlife specialist's report to the off highway vehicle access project environmental assessment.
ORV riders should be educated to understand and respect animals.	Ongoing education conducted in campgrounds, schools, and various meetings benefit a number of resources.
Roads are the delivery system for people to invade habitat, and are the single biggest problem on the landscape.	The off highway vehicle access project would help to manage off highway vehicle use on Forest Service system roads.
Defend wilderness from excessive ORV use.	There is no designated wilderness on the Chippewa National Forest.
The forest should flourish as long as cross-country ORV use is not allowed.	Forest Plan standard S-RMV-4: Cross-country off highway vehicle and snowmobile travel is prohibited.
This document does not address the landscape scale distribution of motorized activity, or discuss how many or how large areas are that do not experience motorized disturbance.	Please refer to table 5 in the off highway vehicle access project environmental assessment, and page 15 of the recreation specialist's report for the landscape scale distribution of motorized activity on the Chippewa National Forest. There is the North Country National Scenic Trail, and 3 semi-primitive non-motorized recreation management areas at North Winnie, Suomi Hills, and Trout Lake. 25,606 acres of semi-primitive non-motorized recreation areas = 3.9% of National Forest land on the Chippewa. Semi-primitive non-motorized areas are defined as being greater than 1/2 mile from motorized roads or trails, 1/4 mile of motorized lakes, and greater than 1,500 acres in size. Alternative 2 would decrease off highway vehicle use within 1 mile of semi-primitive non-motorized areas from 2.2 to 2.0 miles per square mile. A reduction to 1.7 miles is expected with Alternative 3; Alternative 4 reduces it to 2.1 miles per square mile. Alternatives 2 and 4 would also decrease off highway vehicle use within 1 mile of the North Country scenic trail from 1.8 to 1.6 miles per square mile; a reduction to .8 miles per square mile would be expected with alternative3. Refer also to the recreation section of the response to comments for additional information on semi-primitive non-motorized areas.
The wildlife report identifies Alternative 3 as the most desirable for the Chippewa's ecosystems, while you have identified Alternative 2 as your preferred alternative.	Alternative 3 is most desirable in the opinion of the wildlife biologist. However, an interdisciplinary team composed of a project leader, project manager, public service team leader, hydrologist, wildlife biologist, transportation planner, geographic information systems technician, archaeologist, and civil engineer proposed Alternative 2. The project would identify roads for off highway vehicle use in response to multiple uses, including direction in the Forest Plan, the 2005 Travel Management Rule, the 250% increase in demand for riding opportunities, tribal access for traditional hunting and gathering, non-motorized recreation, and the protection of natural resources including soil, water, fish, wildlife, and rare plants. The decision maker would consider this information along with the social implications of his decision.

Appendix B: Public Concern: Hydrology and Soils	Response
The CNF should restrict ORV use to designated trails to protect watercourses and floodplains.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Routes that traverse wetlands and are in poor condition were not proposed to be open to ORVs. Alternative 3 was designed to minimize the miles of routes near water and on sensitive soils. The number of stream crossings was also minimized in Alternative 3.
The CNF should consider soil erosion that ORVs cause in the analysis.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Use of these roads by ORVs is not expected to increase compaction or erosion on the road bed significantly, relative to that due to current passenger vehicle traffic.
The CNF should consider the soil and water resources impacted by ORV use.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Routes in poor condition that traverse wetlands or sensitive soils were minimized. Stream crossings and routes located in riparian zones were also limited. Routes were chosen to minimize impacts to soil and water resources. (analyzed in issue 5, Table 9 in the environmental assessment and also the Hydrology and Soils Report) Off-road or cross-country travel is not allowed on the Forest. The number of dead-end routes was limited in some of the alternatives in order to decrease the chances of cross-country occurring.
The CNF should open roads to ORV use.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Routes in poor condition that traverse wetlands or sensitive soils were minimized. Alternatives provided differing amounts and locations of FS roads open to ORV use based on the parameters of the alternative.
The CNF should restrict ORV use because of the environmental damage they cause. ORVs should not be allowed to cross riparian areas, steep slopes, and sensitive areas or wildlife habitat.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Routes in poor condition that traverse wetlands or sensitive soils were minimized
The CNF should consider soil erosion that ORVs cause in the analysis.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Use of these roads by ORVs is not expected to increase compaction or erosion on the road bed significantly, relative to that due to current passenger vehicle traffic.
The CNF should not allow travel on illegal routes or cross country because of the destructive nature of ORV travel.	Off-road or cross-country travel is not allowed on the Forest. The number of dead-end routes was limited in some of the alternatives in order to decrease the chances of cross-country occurring.
The CNF should recognize that with a sevenfold increase in ORV use and the unmanaged use is causing significant erosion and subsequent effects to riparian areas.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads.

Appendix B: Public Concern: Recreation, Social, Economic, Environmental Justice	Response
Goose Lake Hunter Walking Trails	
Nordheim residents value the Goose Lake Hunter Walking Trails and do not desire to have ATV around the trail system. Illegal riding in the Goose Lake HWT area is impacting non-motorized recreation opportunities.	The Goose Lake Hunter Walking Trail System is managed for a non-motorized recreation experience. The ORV Road Travel Access Project or other county proposals will maintain the existing ORV prohibitions on the Goose Lake hunter walking trails.
Specifically, we are aware of a Cass County trail proposed to be opened (by the County) which would bring ORV traffic to the Goose Lake Trail entrances, a trail not shown on the Forest Service map.	
LLBO Comments	
Some LIC Officers desire to not allow ATV's within the boundaries of the LLBO reservation.	Comments received from LIC meetings during the scoping period indicated that LLBO members do own and use ORV's. However, the majority of band members use highway licensed vehicles for accessing traditional hunting and gathering areas not ORV's. The LLBO is developing their own ORV policy for lands that they administer. See the Environmental Justice Specialist Report pages 5-6.
A couple of concerns from our end is about access plans for enrolled members of the Leech Lake Tribe; I would hope they would be granted access throughout.	
Run in for gathering boughs (used for and would like to see).	
Comment that LLBO members are more likely to drive ATVs than the overall Minnesota population because of the rural verse urban areas of the reservation.	
Increase SPNM / Quality Opportunities for Solitude	
The Chippewa NF should provide more/increase in SPNM recreation opportunities, as indicated in the Forest Plan D-SE-3.	The purpose of the Off-Highway Vehicle Road Travel Access Project is to identify roads for ORV use on the CNF in concert with the goals and objectives outlined in the July 2004 Land Resource Management Plan. See the EA Purpose and Need for Action page 3. Additionally, the Proposed Action (EA page 3-4) is to designate roads on National Forest lands that are to remain open to ORV use. The EA does not restrict use of system roads currently open to highway licensed vehicles. Therefore the EA is only addressing ORV use on system roads. Decisions regarding management area

The alternatives do not address the imbalance in the recreation opportunities on the CNF to better conform to the desired future conditions in the forest plan. 90.2% of USFS lands are within 1/2 mile of one or more roads open to ORVs, Alt 2 - 87.7%, Alt 3 82.0% and Alt 4 91.0%.	prescriptions were made in the 2004 Forest Plan and Record of Decision. Buffer zones were established around designated semi-primitive non-motorized areas and the NCT, however designating new SPNMA is outside the scope of the analysis.
The ORV designations proposed under all alternatives effectively deny access to those who desire non-motorized forms of recreation. Non-motorized recreationists are impacted by the sights and sounds of ORVs.	
The Forest emphasizes recreation activities and opportunities appropriate to remote natural settings D-REC-2 Forest Plan.	
The forest should comply with O-REC-2 of the Forest Plan, "Management activities may meet a less developed ROS class but cannot meet a higher development class than the mapped ROS class objective for the area.	
A 1.0 mile buffer zone between motorized areas and the semi-primitive non-motorized area and the NCT is important. This would enhance the experience of non-motorized recreationist who also provides substantial economic impact on the region.	
Please consider creating areas in uplands for people to get away from the sights and sounds of motors for hunting to experience solitude. Alt 3 with an increase in OML 2 open could achieve this.	
The EA mentions miles of ORV open that fall within certain buffers around semi primitive non-motorized areas and the NCT. MCEA members and the public seek and desire opportunities to find high quality non-motorized recreation opportunities on most of the CNF lands.	<b>North Country National Scenic Trail</b>
ORV's violate buffers, stray from designated routes, and impact socially sensitive resources such as the NCT.	

More and larger areas offering greater separation distances from ORV open roads should and could be created from dropping certain segments from designation. Consider including campgrounds, non-motorized trails like the NCT, designated trout lakes and fish/aquatic management areas. This would help satisfy D-SE-3, and would advance and comply with D-REC-2, O-REC-2.	
Road densities along the NCT buffer zones (.5 miles and 1.0 miles) should drop, these numbers do not look right?	
Potential Resource Damage	
The combination of inherent abilities (to do more damage, travel longer distances, and affect larger areas with their various effects) to disturb people and damage the environment make ORV's the most intrusive and inherently destructive form of outdoor recreation yet. ORV recreation requires the most intense management oversight - monitoring, maintenance, repair, and enforcement - devoted to any form of outdoor recreation.	The CNF will annually update the Motor Vehicle Use Map incorporating information from the public and changes in resource conditions (monitoring) EA page 10. Additionally, road maintenance is disclosed in the EA page 19, and in the Social Economic Specialist Report page 9. Law enforcement costs are disclosed in the Social Economic Specialist Report page 10.
Multiple Use Trails	
I would like to see multiple-use for everyone to utilize the trail.	The purpose of the Off-Highway Vehicle Road Travel Access Project is to identify roads for ORV use on the CNF in concert with the goals and objectives outlined in the July 2004 Land Resource Management Plan. See the EA Purpose and Need for Action page 3. Additionally, the Proposed Action (EA page 3-4) is to designate roads on National Forest lands that are to remain open to ORV use. Roads designated open for ORV use generally be open to all forms of recreational use, an exception may be equestrian use in the Cut Foot Sioux area.
Public land is supposed to be open for multiple use, not the exclusive use of ORVs that impacts opportunities for solitude.	
Open to ORV's	
We live, work, pay taxes, and support the economy in this area. It would be nice if we could use the land that we enjoy so much. This is the reason we chose to live and raise out family here.	See the purpose and need for action, EA page 3-4. Each of the four alternatives designates various levels of roads open to ORV use based the theme for the alternative. Roads were designated open to ORV use where they were sustainable from both a resource and social stand point.
The majority of ORV users are not destroying the environment, we are actually motorized environmentalist.	
User Conflict	

As the number of ORV increases so does user conflict in the woods between motorized and non-motorized users, and even government employees.	Through designating NF system roads open or closed to ORV users will be able to select areas of the forest in which to participate in various forms of recreation. Individuals that desire to avoid motorized recreation can utilize roads closed to ORVs or semi-primitive non-motorized areas of the forest. The EA utilized information from the MN SCORP as this information was more applicable for a project on the Chippewa National Forest, which is located in north central Minnesota.
ORV driving conflicts and is incompatible with all other recreation activities on public lands except snowmobiling. As ORVs are capable of higher degrees of penetration of the landscape.	
The EA did not consider the WI SCORP which recognized the user conflict between non-motorized and motorized forest users.	
Closed to ORV	
There is no need for an additional 1,384 miles of ORV routes in the area. No evidence is presented that demonstrates a need for such a drastic increase in ORV route mileage.	The Chief of the Forest Service identified unmanaged recreation, especially the undesirable impacts from unmanaged off-road vehicle use as one of the key threats facing National Forest and Grasslands. This prompted the 2005 Final Rule for Travel Management requires that each National Forest and Grassland designate roads, trails, and areas that are open to motor vehicle, EA page 1. The purpose of Off-Highway Vehicle Road Travel Access Project is to identify roads for ORV use on the CNF in concert with the 2004 Land Resource Management Plan. See the EA Purpose and Need for Action page 3. Additionally, the Proposed Action (EA page 3-4) is to designate roads on National Forest lands that are to remain open to ORV use. ORV use of National Forest System lands is an appropriate use of public lands, however not everywhere. The CNF prohibits ORVs from cross country travel, and as a result of this project will designate roads open, or seasonally open to ORV use. These roads will be reviewed annually, and updates to the Motor Vehicle Use Map made to reflect changes in conditions. There are no new miles of roads or trails that would be constructed as a part of this project. Only existing roads were considered as potential ORV travel routes.
The ability to find places for watching wildlife or for enjoying or studying rare native plants and high-quality native plant community assemblages in a remote natural setting, without the interference of ORV's is itself rare and becoming rarer.	
The building of permanent roads in many areas has created new problems by encouraging uncontrolled access to remote, lightly patrolled forest areas with increased impacts such as litter, vandalism, and increased encroachment on solitude.	
ORV use displaces and disappoints traditional non-motorized forest visitors resulting in a decrease in the quality of life. Impacts to walking, driving, and living near roads open to ATVs.	
Hunters and anglers are acutely aware of how the abuse of ORVs scars the land, pollutes water, spreads weeds, frightens wildlife and destroys solitude.	

Residents on the eastern end of Barnum Lake bought property because of covenants that protect privacy, peace/quite and maintain the natural setting. Among the covenants is a ban on ATVs.	
The Barnam Lake Association is opposed to ORV use, and favors preservation of the Chippewa National Forest.	
More roads and trails lead to the exploitation of public lands for extractive uses.	
Members of the Barnum Lake Associate are concerns that ORV activity will damage the environment and impact future generation’s enjoyment of public lands.	
The increase in ORV trail/roads miles in actuality eliminates access to a quality experience for the majority Sierra Club members and CNF users.	
Forest Service documents mislead the public by adopting language that equates "access" with ORV motorized access. It is incredible to suggest that having to walk 1/4 mile to 1/2 mile amounts to denial of access.	
While non-motorized users represent the great majority of outdoor recreation, the great majority of lands are managed to allow motorized recreation.	
I am told that there is great demand for ORV trails, or is it that the individuals that are demanding the trails are simply extremely vocal?	
Support ORV Access for Economic Reasons	
The alternatives have a significant economic impact on the Dixon Lake Resort. Many visitors enjoy riding ORV's while visiting the resort, and we use ATV's to place spearing and angling houses out on the Third River Flowage and often use ATV's to transport various items to and from the Flowage. Our guests also desire access to Fisherman's road for the same reason.	The EA recognizes the economic impacts and potential benefits that designated routes offer to resorts, businesses, and area communities. See the Social/ Economic Specialist Report and list of references for applicable data that was used for disclosing effects. Additionally, loops and connector routes were established in Alternative 4 that attempted to connect communities, and provide for loops 5 miles or greater in length. See the Recreation Specialist Report for additional details.

Cost for implementing the ORV project should be refined and essential data incorporated into the next revision. Making a final decision on the EA and selecting and alternative now would be rushing the project.	
Noise Pollution	
Noise pollution is a serious problem with vehicles which may legally approach 99 decibels at the muffler, and can be heard up to two miles away.	Many factors influence the distance that sounds are carried in the forest. For example, terrain, vegetation, time of year, and the type items producing the sound. CFR requires that ORVs have a working muffler and spark arrester, These requirements are in effect currently, and would continue with this project.
Concern over the noise pollution produced by a single ORV at a distance of over two miles, compared to a hiker of approximately 100 yards.	
I no longer leave my windows open in the summertime due to dust and noise from ATVs.	
Impacts from ATV noise, smoke, and smells make it difficult for people to enjoy recreating on the National Forest.	
Dead End Spurs	
Dead-end routes should be avoided wherever possible, and where they do exist they should be marked as dead-end.	Given the network and design of system roads on the Chippewa National Forest, there are collector roads with spurs to provide access for forest management. As a result of the Off Highway Vehicle Road Travel Access Project, individual roads will either be designated open, closed, or seasonal open. Loop riding opportunities were built into the alternatives detailed in the EA. However, given the topography, specifically wetlands and lakes, making all roads connect or loops in not possible.
The CNF should work on getting rid of the short little jaunts and work harder on getting longer trails established. People are not going to trailer to a one mile spot, unload, ride, turn around and repeat the process.	
Potential Damage Off Road and Trails	
It is just plain silly to think the folks who use these trails are using them as depicted by state and federal agencies; they're used as a jumping off point to go into the deep woods and the water purifying wetlands.	The purpose of the Off-Highway Vehicle Road Travel Access Project is to identify roads for ORV use on the CNF in concert with the goals and objectives outlined in the July 2004 Land Resource Management Plan. See the EA Purpose and Need for Action page 3. Additionally, the Proposed Action (EA page 3-4) is to designate roads on National Forest lands that are to remain open to ORV use. There were only 0.5 and 1.0 miles buffers proposed within the alternatives. Please see the Decision Notice for a description of the project. Through the designation of roads open for legal riding and the development of the Wheeled Motor Vehicle Use Map, rides will have the responsibility to know where they can legally ride. Education, enforcement and signing will be critical for the success of maintaining these roads open for ORV riding.
They never stay in the project area.	
Wherever there is a road or ORV trail, there is slowly spreading damage.	



Highway licensed vehicles tend to stay on the road while ATVs tend to go off the road.	
ORV buffers of .25 and .50 miles are no buffers at all. Assuming the ORV operators would stay on designated trails, and we all know they do not, then the only buffer worth talking about is at least 1.0 miles.	
Allowing ATV's on FS system roads will encourage off road penetration into the forest and the construction of permanent and illegal deer stands.	
Soils	
All areas of ORV use suffer from damage to soils.	Project planning for the action alternatives focused on designating routes that are appropriate for use by ORVs. All designated routes in this EA are on existing Forest roads. Use of these roads by ORVs is not expected to increase compaction or erosion on the road bed significantly, relative to that due to current passenger vehicle traffic. Resource impacts, including soil erosion, will be monitored and updates made annually to the Wheeled Motor Vehicle Use Map.
Routes Open for Hunting	
One of the best solutions might be to allow ATV use during the fall hunting season, say September 15th to November 30th. This could b e a good problem solver.	The EA in alternative 4 proposed allowing certain roads open to ORVs for hunting the in fall. Many of these roads are currently open to HLV and will continue to be to help meet the needs of hunters. Thank you for suggesting the MN game and fish laws as a guideline for access in Alternative 4.
In 20 years people in the 65 plus group in Minnesota will increase more than 45-65% and need help to access forest for hunting, trapping, fishing. For hunting we don't need a few trails ending with a bunch of chairs for hunters to sit on together to hunt.	
I see no reason to open a road to ORV traffic during the hunting season to damage the resource during the fall. Non-hunters do not venture down these trials by any method during the hunting season for fear of being shot.	
It is incorrect to argue that any of the alternatives proposed would provide increased access during the hunting season. HLV already have access to the forest on the roads you proposed to open up to ATVs.	

Please consider including the needs of bear hunters and bear baiting in designating road seasonally open in the fall. Consider using MN game and fish laws dates for bear hunting (typically the Friday nearest August 14th).	
Consider making roads open in the fall to be seasonally open following the MN game and fish laws, for archery and small game these dates are the Saturday nearest 9/16.	
Impacts to Hunting Opportunities	
ORV disruptions represent a barrier to participation in hunting. "They are ruining hunting everywhere, disrupting ranching operations, and any feelings of solitude."	Through the decision and implementation of the Off Highway Vehicle Road Travel Access Project, and subsequent Wheeled Motor Vehicle Use Map, ORV's will be authorized to ride on designated system roads only. Each alternative considered in detail in the EA provide varying levels of ORV access on forest roads. Additionally, many roads on the Forest will not be open to ORV access. A detailed breakdown of the amount and location of open roads can be found in Table 5 page 15 of the Recreation Specialist Report, and accompanying maps. All alternatives provide some areas of the forest that were ORV's will be prohibited from riding, thus providing a range of hunting opportunities.
I have found my hunting experience totally destroyed by ORV riders, riding, and people shooting grouse from their vehicles.	
Our freedom to hunt and fish depends on habitat. There is something special about hunting deep in the backcountry, Wilderness hunting and fishing delivers a sense of freedom, challenge and solitude that is increasingly trampled by the twin pressures of growing population and increases in technology.	
I have mixed feelings because I am a grouse hunter and I love walking the trails and it always irritated me beyond words when someone would blow by me on an ATV.	
Careless ATV drivers are damaging trails, eroding soil, frightening wildlife, spreading alien weeds, and destroying solitude. Tensions peak during hunting season, with traditional hunters on foot and horseback complaining of motor noise that scares away game.	
ORV access is threatening hunting opportunities. Most hunters rely on sweat equity, not ORVs. That's tradition and how it should be.	

The majority of big and small game hunters do not use ATVs in their pursuit of game.	
Trails	
Extended loop routes (>5 miles is okay, 20+ mile loop routes make for a great days riding).	The development and construction of ORV trails is outside the scope of the Off Road Vehicle Road Travel Access Project, Recreation Specialist Report page 5. Future trail planning efforts will proceed as funding, and staff time are available.
Winding narrow trails within the trees are more safe, interesting and family oriented. Using the ORV roads are all about speed, racing and dust. Suggest a combination of both to minimize dead ends.	
I'd like to explore and discuss with you or your staff is a connection from the Soo Line south east of Remer through the CNF via the Soo-Line Connector (FR 2303) on an existing trail near Holy Water Lake and eventually into Hill City.	
Loops and OML 3/4/5 Roads Open	
I prefer to ride out of my driveway through the public road ditches and on to the Forest Roads to experience the Forest. This is more desirable than tailoring and hauling my ORV to OML 1 and 2 level roads. All OML 2, 3, 4, and select 5 Forest Roads trails must be open for ATV use.	Loop riding opportunities were built into Alternative 4 to provide increased riding opportunities. Typically, Forest Service system roads do not have ditches, and the 2004 Forest Plan prohibits ditch riding on the small amount of system roads that do have road ditches. Additionally, a Mixed Use Analysis was completed that evaluated allowing ORV's to ride on OML 3, 4, and 5 level roads. Please refer to the Recreation Specialist Report Table 5, page 15 and corresponding maps for a detailed breakdown of loop opportunities greater than 5.0 miles, and which OML 3, 4, and 5 roads are proposed open for ORV riding.
ATVers need loops to ride, not just short little jaunts. A well designed designated route will keep the ATVers on the trail and prevent the majority of them from even thinking about cross country travel.	
Extended loop routes (>5 miles is okay, 20+ mile loop routes make for a great days riding).	
I would like all level 2, 3, and 4 roads open for ATV use. Along with select level 5 roads to complete system loops.	
Cumulative Effects	
The EA fails to examine required cumulative effects.	At the current time it is difficult to predict cumulative impacts for the ORV recreation riding opportunities with this project. The final decision does reduce the number of miles available for ORV use to protect natural resources and recreational settings. These effects should have a beneficial direct effect on resources, including soils and water. The effects meet the Endangered Species Act, Forest Plan requirements for Regional Forester Sensitive Species,

The EA needs to fully examine the required cumulative effects. EA p. 24 states that it was not possible to determine cumulative effects due to timing differences to evaluate cumulative effects on these different ownerships (FS, State, County, and LLBO roads).	management indicator species, and non-native invasive species. The State of Minnesota, LLBO and Itasca, Cass and Beltrami Counties have not made final decisions regarding ORV access on their lands so it is difficult to determine cumulative effects from adjacent ownerships. .
Increased Law Enforcement	
We believe that additional mitigation measures including planning for increased and specific law enforcement activities is necessary to protect the trail from unauthorized uses, as well as physical barriers between the trail and authorized ORV route will be required to recapture and preserve the non-motorized character of the trail.	ORV law enforcement is discussed in the Social and Economic Report, page 10. Adequate funding to patrol roads, issue citations and protect resources was used an indicator within the environmental assessment. A Motor Vehicle Use Map (MVUM) will be published that details which system roads will be open to ORV use. The map and forest supervisors order will be the legal instrument to enforce ORV regulations. Roads not identified as open on the map will be closed to ORV use. The MN DNR, Counties, LLBO and Forest Service anticipate working together to educate, enforce, sign, and provide visitor information to ORV riders. Riders will be responsible to know which Forest Service roads are legally open to ride on based on the MVUM.
How will the CNF enforce ORV riding on designated roads, and illegal cross country use?	
Concerned about the CNF ability to enforce the miles of ORV designated roads given existing budgets and projected use.	
Concerned that local governments and CNF will not be able to fully implement the ORV designation process, and that enforcement costs are not fully realized in the EA. Additional costs take the form of invasive species control/eradication, enforcement, replacement of signs, berms, and gates. Plus the cost of managing and repairing costs to the environmental damage.	
Need to disclose LE costs associated for each alternative.	
What are the USFS penalties for riding cross country	
Miscellaneous	
All these vehicles are made for off road use not to be ridden on nice trails.	Cross County travel is prohibited on the Chippewa National Forest, EA page 2.
Distance and Speed - ORV riding allows a users to travel longer distances and cover larger areas than any other form of outdoor recreation.	ORV riding is a legitimate use on National Forest system roads designed open or seasonal open for use, EA page 1.

My issue is the Forest Service and the Federal Government have no Constitutional authority to own the Chippewa and therefore have no authority to govern lands in the sovereign state of Minnesota. This land belongs to the citizens of Minnesota and as residents they and the State Legislature should determine its use. This is a Constitutional issue that demands immediate attention prior to any regulations being applied by the Forest Service. If you disagree with my issue please explain where in the Constitution the Forest Service/Federal Government have dominion over these lands as they are not for the certain enumerated purposes stated in the Constitution.	See the Purpose and Need for this project in Chapter 1 EA. The sovereignty of the State of Minnesota is outside the scope of this analysis. The Chippewa National Forest has the authority to make road management decisions for the roads and trails on lands administered by the U.S. Forest Service. These authorities are found in the act that designated the Chippewa National Forest, and subsequent National Forest Management Act.
A case in point is your recent questionable and apparently illegal "Semi-primitive non-motorized area," even though it was opposed by all local persons and groups that I have been in contact with since it was first proposed.	The development of the North Winnie and expansion of the Soumi Hills Semi-primitive Non-motorized areas were a decision made during the 2004 Forest Plan Revision, and is therefore outside the scope of this analysis.
ORV management is the most serious problems faced by local, state and national government units. We wish you success in managing the CNF to protect the interests of the majority of us who simply want peace and quite in the outdoors.	Unmanaged recreation, specifically ORV use has been identified as one of the four threats challenging National Forest management. See the EA page 1.
The EA does not fully disclose the potential impacts to public health from the proposed action, and considers them to be limited to road safety issues. The MN SCORP documents impacts to individual's health as a result of a sedentary lifestyle at the cause of health issues. The EA should address these health issues.	Purpose of Need for project, health issues such as diabetes and heart disease are outside the scope of this analysis.
Consider using new demand numbers from a non-bias study. The existing studies are projecting demand that will damage the forest.	A variety of studies, from federal, state, non-profit and private sources were used in disclosing effects in the EA. Please refer to the individual specialist reports for a complete disclosure of references.
ORV riders in Minnesota are separated into two distinct groups, hardcore extreme riders that desire trails on public lands, and riders that seldom ride on public lands. Consider this in responding to demands for access.	The EA alternatives provide a broad spectrum of opportunities for ORV riders. The designation of system roads open for ORV riding is the first step in managing ORV use on the Chippewa National Forest. Subsequent efforts will focus on trail development, education, and enforcement.
The CNF is proposing to designate 1,362 miles of Forest Service roads open to ATVs. The roads are currently closed.	Please refer to the EA table 8, page 15 for a complete breakdown of road mileage proposed open under each alternative. Until the decision is formally made for this project, low standard roads that are not posted closed are open for ORV use. This will change when the Wheeled Motor Vehicle Use Map is published, therefore allowing ORV use on designated roads only.

<p>This project overturns much of the 2004 forest plan, and it assumes that ATV riders will stay on designated roads and trails and that they will obey closed signs. I believe the opposite is true, that roads are trails are used a starting points for cross country travel.</p>	<p>Cross County travel is prohibited on the Chippewa National Forest, EA page 2. While some riders violate the cross country prohibition the designating of roads open for ORV use will help enforcement officers address cross country travel issues.</p>
ORV Demand	
<p>The purpose and need for actions section of the EA is flawed because the numbers of registered ORVs is different than projected in the EA. ORV demand on public lands is far less than suggested in the EA</p>	<p>ORV riding is a legitimate use of National Forest lands, however not everywhere. The purpose of the Off-Highway Vehicle Road Travel Access Project is to identify roads for ORV use on the CNF in concert with the goals and objectives outlined in the July 2004 Land Resource Management Plan. See the EA Purpose and Need for Action page 3. Additionally, the Proposed Action (EA page 3-4) is to designate roads on National Forest lands that are to remain open to ORV use. Through the designation of roads open for legal riding and the development of the Wheeled Motor Vehicle Use Map, rides will have the responsibility to know where they can legally ride. Demand for ORV riding opportunities is documented in several studies used in the Recreation Specialist Report, for example NVUM Project, ATVAM Economic Study, and several state studies. While the amount and level of demand can be challenged, it is important to note, that the Off Highway Vehicle Road Travel Access Project is making road management decisions for existing Forest Service system roads which are currently open for motorized travel. The levels of year round ORV access will decrease from the current condition in alternatives 2, 3, and 4. There will be no new roads or trails constructed as a part of this 2007 Off Highway Vehicle Road Travel Access project.</p>
<p>A small percent of Minnesotans ride ATVs on public land. Registrations are stabilizing if not plateauing in the state. Therefore, the CNF should plan for effective management over the amount of ORV traffic.</p>	
<p>The EA presumes a larger ORV user base and lager demand for ORV driving opportunities. The number of registered ATV in 1994 is not 10,000 but more like 56,000. Therefore the CNF should not be misled to believe that the current figures for total registrations represent a number of riders who demand roads and trials on public lands, much less the CNF specifically.</p>	
<p>This project serves a minority of forest users to the detriment if the majority of forest users.</p>	
<p>There is not a need for an additional 1,384 miles of ORV trails. The demand for ATV use on public land is not supported by recent DNR surveys and NVUM data on the CNF.</p>	

Appendix B: Public Concern: Transportation	Response
Woodtick - NCT - Goose Lake	
Advocate keeping the Woodtick closed to ORV traffic. Safety concerns, proximity to North Country Hiking Trail, & impacts to Goose Lake non-motorized Trail system. Illegal user-created trails, inadequate maintenance of trail closures.	The Woodtick Trail, Forest Service System Road 2107, is categorized as a maintenance level 4 road. Roads of this level provide moderate degrees of user comfort, and are generally double-lane aggregate roads to accommodate passenger car traffic. Following a mixed use study, this route was not considered as a viable route at this time for allowing ORV traffic. A follow-up mixed-use analysis with line officer concurrence would need to be completed prior to this decision being reversed. Also, those roads that are within a ½ mile proximity to the North Country Trail were also eliminated from ORV traffic designations. This ½-mile buffer was developed to eliminate potential conflicts with motorized users and non-motorized users of the North Country Trail. The Goose Lake Hunter-walking trails benefit from the Woodtick non-designation, and the ½ mile buffer from the North Country Trail, as this makes the Goose Lake system inaccessible by ORV traffic. Therefore, roads accessing the Goose Lake trail system are also not designated for ORV traffic.
Close Woodtick Trail to ORV traffic. Safety & no budget for maintenance. Proximity to NCT & goose lake.	
Prefer Woodtick closed, high traffic, no maintenance budget, mapping will increase use, proximity to NCT & Goose Lake.	
Close Woodtick Trail to ORV traffic. Safety & no budget for maintenance. Proximity to NCT & goose lake.	
KeepWoodtick closed to ORV traffic, encourages illegal use into Goose Lake	
Close Woodtick Trail to ORV traffic. Proximity to NCT & goose lake. Noise pollution	
Keep Woodtick closed to ORV traffic, encourages illegal use into Goose Lake, Cass County proposed trail not on map	
Keep Woodtick closed to ORV traffic.	
Existing ongoing impacts to trail resource & recreational experience by unauthorized ORV use, open routes will encourage unauthorized use of NCT.	
Illegal access on NCT, traffic increases, access around gates and berms	

Illegal access to NCT, concern for dead end routes to encourage illegal use, not from longer routes or loops.	
Illegal access to NCT	
Illegal access to NCT, existing damage	
Minimize routes open near NCT	
Minimize routes open near NCT	
Keep ATV's off forest roads, particularly the Woodtick. Safety concerns, near collisions.	
Woodtick - NCT - Goose Lake	
Propose closing 2113F to ORV, proximity to NCT, encourages motorized use on NCT	Forest Service System road 2113F is an operational maintenance level 1 (OML 1) road. OML 1 roads are intermittent service roads closed to street legal motorized vehicular traffic for closure periods exceeding one year. Closed roads should have a closure device or barrier alerting the public to the closed status. 2113F should not have motorized vehicle traffic when in closed status. Historically however, gating or berming a road has failed to effectively close approximately forty percent of the roads to motorized use. (Issues regarding illegal access around closure devices are handled by Law Enforcement officers). FR 2324 provides immediate access to the North Country Trail (NTC). Those roads that are within a ½-mile proximity to the NTC were eliminated from ORV traffic designations. This ½-mile buffer was developed to eliminate potential conflicts with motorized users and those non-motorized users of the North Country Trail.
Propose closing 2113F to ORV, proximity to NCT, encourages motorized use on NCT, existing damage	
Propose closing 2113f to ORV, proximity to NCT, do not include in loop	
Propose closing 2113f to ORV, proximity to NCT, noise pollution, trespass around gates, dust & speed safety issues	
illegal use observed on 2113f, erosion damage	
Propose closing 2113f to ORV, proximity to NCT	
Propose closing 2324 to ORV, proximity to NCT	
Damage	



ORV's are more powerful in terms of cross country use, than highway licensed vehicles (HLV), cross-country capable, promote illegal use, trespass to sensitive areas, damage is unavoidable	National Forests are managed by law for multiple uses. They are managed not only for non-motorized or motorized users, but also for timber, grazing, and outdoor recreation. These uses must be balanced, rather than one given preference over another. Users of the federal Forest roads are required to follow state traffic laws as well as federal regulations. This includes staying on existing system routes, and not trespassing or creating cross country routes. These user-created routes increase the potential for erosion and damage to natural resources. This damage can be created by both highway legal and non-highway legal vehicles.
Near collision with ATV's, high rate of speed, safety concerns, will pursue legal action if accident occurs.	
Erosion and damage caused by 4x4 pickups rather than ORVs.	
3rd River	
Support ORV loop around Third river area. Better signs and barriers around non-motorized area to prevent illegal access. Traditional access to public water.	The Third River area was one of a handful of areas considered to have a high potential of providing an ORV loop opportunity to access public land and water. This area is also in close proximity to a newly designated semi-primitive non-motorized area. To accommodate both interests, signs have been erected to notify the public of the areas restricted to motorized access. A ½-mile buffer zone around the non-motorized area was implemented to further protect the non-motorized area. The final recommendation for this area included the minimum mileage needed to complete the ORV loop while protecting the integrity of the non-motorized area.
Support ORV loop around Third river area.	
Support ORV use in Third River area as traditional access to public water.	
Support ORV access around 2171, access to public water.	
Need to open 2171 to loop to south end	
Safety /Hunting	
ORV traffic is detriment to upland birders 3122	System Road 3122 has not been recommended for allowing ORV traffic, due to close proximity to the semi-primitive non motorized area. The route will remain open to non-motorized access, such as walking.
2112, 2112D, 2112DA used for traditional hunting access	System Road 2112 has been recommended for allowing ORV traffic. Spur road 2112D has not been recommended for ORV use due to its close proximity to the non-motorized trail. Spur road 2112DA has not been recommended for ORV use due to its close proximity to wetlands. The spur routes will remain open to non-motorized access, such as walking.

Allow ORV traffic for hunting access, and retrieval	Those roads that are designated for use by ORVs can be used for hunting access. This use must occur on the existing roadway. Retrieval of big game animals off of existing designated roads would be considered cross country travel, which is prohibited under the Travel Management Rule (36 CFR 212).
Buffer Zones	
Buffer zones do not adequately protect non-motorized areas and NCT, need to protect NCT & Goose Lake from illegal use	National Forests are managed by law for multiple uses. They are managed not only for non-motorized or motorized users, but also for timber, grazing, and outdoor recreation. These uses must be balanced, rather than one given preference over another. Buffer zones of ½-mile were utilized around sensitive areas to allow an extra protection zone, while still allowing all users to enjoy the Forest.
Buffer zones do not adequately protect non-motorized areas and NCT	
No Damage	
There should be no restrictions; ATV's do not damage roads.	Any vehicle can damage a road when use is inconsistent with design characteristics, or when conditions are unsatisfactory for traffic. Those roads that were located near wetlands, poor soils and sensitive areas were closed to ORV use to prevent damage from occurring.
Mapping Errors	
Many trails missing from map, many trails are inaccurately placed on map, and some not complete.	With the advent of computerized mapping, the accuracy of the mapped road system has improved to better reflect actual conditions. The Forest has been updating the road inventory through field condition surveys in recent years. As field reviews are completed, the spatial (computerized GIS) inventory is updated. Thus in keeping up with technology, we are continually updating the maps to better reflect physical ground conditions. However, illegally created trails will not show up on the maps as they are not system roads, and will not be designated for ORV use. Some roads are the remnants of past timber activity and have grown-in from non-use such as 2364F.
Trail shown on map is just a deer trail, 2364f	
Close ORV	
Close 3441A because of proximity to residence & wetland	System Road 3441A has been recommended for allowing seasonal use of ORV traffic. Due to close proximity to an eagles nest, the road will be closed from February 15 to October 1 of each year. The route will remain open to non-motorized access, such as walking, during the closure period.
If main road is closed, why are spurs also closed? 2101, 2105, 2101f, & 2102e.	A final review of the road system was completed to eliminate ORV designations on those routes that are not connected to an ORV designated trunk route. Eliminating dead-ends and non-connector routes will aid in enforcement and effectiveness of the closures. System road 2101 and 2102E were recommended to remain open for public use by ORVs. System Road 2105 was closed to prevent further damage to public land and water, and System Roads 2102F was closed due to proximity to wetlands.
Propose closing 3725f as it is underwater, and propose to open 3725e for river access	System Road 3725E and 3725F have not been recommended for allowing ORV traffic, due to close proximity to wetlands. These routes will remain open to non-motorized access, such as walking.

Propose 2419B as non-motorized. Abuts private land & damage to property.	System Road 2419B has not been recommended for allowing ORV traffic, due to close proximity to private lands. This designation will help to avoid illegal trespass onto private property.
Open ORV	
Would like Remer Tower (2103) road open to ORV traffic, proximity to residence & little traffic.	Roads defined as maintenance levels 3, 4 or 5 are regulated by the National Highway Traffic Safety act. Roads of this level provide varying degrees of user comfort, and are generally aggregate or paved roads. This higher standard characteristic of the roadway requires the completion of a mixed use analysis prior to allowing ORV traffic on the route. Forest Service routes 2103, 2112, 2127, 2199, 2402, and 3214 were analyzed and were designated as acceptable for highway and off-highway vehicle traffic. Mixed Use analysis documents for all roads analyzed can be found in the project record.
Proposed ORV traffic allowed on 2112, long lake road, little traffic & no history of ORV accidents.	
Propose to open 2127 to ORV, no permanent or seasonal residences on road	
Keep 2199 open to snowmobiles and ATV would eliminate further trails, posting & Barriers would help law enforcement	
Propose open road as little traffic now, Big Too Much Lake Road, (2402 Spur Lake)	
Keep 3214 open for riding access on Rice Lake.	
2303 has heavy ATV traffic, invest in maintenance rather than close it.	System Road 2303 has not been recommended for allowing ORV traffic, due to close proximity to the non motorized North Country Trail. The level of current ATV use is inconsistent with the management for this area, and eliminating further use of this route will prevent further damage to the North Country Trail. The route will remain open to non-motorized access, such as walking.
Keep 2154 open year round to provide access to First River.	System Road 2154 does not provide access to First River. System Road 2156 does provide access to First River and has been recommended for ORV use.
Public Roads	
What is the definition of a public road?	Public roads are defined as any road or street under the jurisdiction of and maintained by a public authority and open to public travel (23 U.S.C. 101(a)). Forest Service System roads are primarily administrative roads built to manage the forest lands and support management activities. The roads remain open to public use, but are not solely constructed for the public, thus they are not "public roads." The agency has discretion to close them as needed to manage & protect different resources. Shared use between highway licensed vehicles and ORV's is acceptable on those National Forest System roads that have a mixed use analysis document completed.

Forest provides recreation activities that provide economic benefit to local communities, FS needs to maintain roads & bridges through area	National Forests are managed by law for multiple uses. Managing for multiple uses includes maintaining the existing roads and bridges. However, the funding available for maintaining the transportation system has decreased by 65 percent over the last 4 years. This budget decline has shifted the maintenance from all roads to primarily the highest standard routes, or those with the most traffic. The lower standard roads have received little to no maintenance. Recent emphasis has been placed on reducing the number of road miles to help alleviate the budget shortfall. However, the cost associated with removing the roadway has further reduced the budget available for maintenance.
Special Use	
The CNF should consider multiple use, connectivity, 12 month use permit for forest service roads.	Those roads that need to be managed on a seasonal basis will be designated as such on the Motor Vehicle Use Map. The seasonal restrictions are specific dates that are predetermined prior to the annual map publishing. When restriction dates are not known ahead of time, the local Forest has the ability to issue an emergency road closure order. This emergency order would remain in effect until conditions are completed or remedied. Under certain situations, special use permits can be issued to allow individuals access to certain areas. These special use permits are determined at the discretion of the district ranger.
Propose seasonal restrictions, close roads during spring	
Ineffective Closures	
Need to close roads that provide access to closed roads due to low effectiveness of barriers	Some system roads are closed to prevent use by highway-licensed and off-road vehicles (G-TS-12, Forest Plan 2-48)). Some gated roads prohibit highway-legal vehicle use, but are open to vehicles that weigh less than 1000 pounds. Those roads designated for such use are generally signed to alert users of the designations. Closures across the Forest have been studied and have been found to be approximately 62% effective (CNF Monitoring and Evaluation Report, 2005). Closures of rock and slash piles were found to be the most effective.
Low effectiveness of closures will not deter illegal ORV use, do not open higher ML roads to ORV traffic.	
Current closure methods are not effective, not in compliance with forest plan	
Doesn't make sense to close main roads to ORVs when need them to access the other trails.	A final review of the road system was completed to eliminate ORV designations on those routes that are not connected to an ORV designated trunk route. Eliminating dead-ends and non-connector routes will aid in enforcement and effectiveness of the closures.
Eliminate dead-end routes (unattached spurs) from ORV access	
Main road not open to ORV traffic, trailering is not a feasible option to reach spurs off main roads.	
Maintenance Costs	
Extensive maintenance costs will take funds from other projects, why fund the trails?	National Forests are managed by law for multiple uses. Managing for multiple uses includes maintaining the existing roads and bridges. However, the funding available for maintaining the transportation system has decreased by 65 percent over the last 4 years (CNF Monitoring and Evaluation Report, 2005). This budget decline has shifted the maintenance from all roads to primarily the highest standard routes, or those with the most traffic. The lower standard routes have received little to no maintenance. Anticipating an increase in use by recreational ORV riders could require the use of recreation funds to repair damage and help to maintain the road system.
Have not seen change in roads and trails for years.	

OML 2 maintenance costs are misleading, maintenance will be clearing windfalls, ORV traffic will never be such to require high maintenance	Increased amounts of ORV traffic are anticipated once the Motorized Vehicle Use Map is publishing designated ORV approved routes. This increased use could lead to increased damage on roads that are receiving minimal maintenance now. The costs were based on mowing, brushing, and some gravel replacement for those miles that were open to ORV use. The estimated maintenance costs on the OML 2 roads were estimated to be less than current expenditures, mainly due to the lower standard of roadways. This would be the worst case scenario funding estimate..
Other Agency ATV Trails	
Aitkin-Itasca County proposing 70+ mile connector trail	New motorized trails designations are outside the scope of this analysis. However, the 2004 Land and Resource Management Plan allows for an additional 90 miles of ATV trails to be constructed in the future (O-ORV-2). At such time, the CNF staff will continue to work collaboratively with State, Tribal, and local governments and interested parties on ORV system trail designations.
Use ATV license fees to maintain and police trails	Funding received from vehicle registration and titling of motor boats, snowmobiles, all-terrain vehicles, off-road vehicles and off-highway motorcycles, goes for the acquisition, development and maintenance of State managed recreational trails and boating routes, and the enforcement of recreational vehicle operating laws. License fees are provided only to the Minnesota Department of Natural Resources. The U.S.D.A. Forest Service does not receive funds from state license fees.
FS cannot make Mgmt decisions on township roads, blind curves, proximity to NCT, gates and barricades needed to close roads, abundant wildlife in area.	The initial road recommendations were the result of an interagency planning team. Representatives from the MN-DNR, the Leech Lake Band of Ojibwe, local townships, and Beltrami, Cass and Itasca Counties, were consulted on each road to minimize the possibility of making determinations on non-Forest Service jurisdiction roads. ORV designations were not made for those roads managed by other jurisdictions. No legal documentation was located that stated FR2324 is under another jurisdiction. However, this road was not considered for an ORV designated route due to the proximity to the North Country Trail, and that it did not provide through access to other areas.
Miscellaneous Items	
Did not like riding fast on Little Winnie Road	Forest Service System roads are rural roads with mixed traffic of commercial vehicles, passenger cars, and logging trucks. All drivers are expected to drive at safe and prudent speeds regardless of their type of vehicle.
Did not like riding in road ditch	Riding in the ditch along Forest Service System roads is considered cross country travel and would be a violation of Travel Management Rule (36 CFR 212). Only those roads that are designated for ORV use can be utilized, but not the ditches associated with those designated routes. Travel with ORVs is generally prohibited in ditches and on shoulders of National Forest System Roads (G-ORV-4).

Public Concern: Policy, CNF Forest Plan Amendment	Response
ORVs Should Be Allowed In the CNF	
The CNF should open CNF system roads to ORV use because: It is important to maintain the future generation's ability to use ORVs and continue historical traditional use; the lack of a plan everyone can live with; it maintains the rights and freedoms of ORV users; maintains and creates positive economic effects, and because people use ORVs responsibly.	36 CFR 219.21[g] says that off-road vehicle use shall be planned and implemented to protect land and other resources, promote public safety, and minimize conflicts with other uses of the National Forest System lands. The CNF Forest Plan includes many desired conditions including non-motorized and motorized access within the forest to satisfy diverse public interests while maintaining sustainable ecosystems. (Forest Plan 2-39). These sometimes conflicting uses of the CNF necessitate the consideration of the effects of specific management proposals. The decision maker weighs the many possibly conflicting and/or beneficial effects while making a decision.
Animals and people can learn and benefit each other from ORV use	The potential effects of ORV use on wildlife and habitat are discussed within the proposed action as described in the Wildlife Report of the Off-Highway Vehicle Road Travel Access EA. Federally listed threatened or endangered species require review and concurrence from the U.S. Fish and Wildlife Service prior to any management decision. Reducing human disturbance does have positive benefits for bald eagle, gray wolf, Canada lynx, northern goshawk, re-shouldered hawk does have positive benefits to species.
The CNF should allow ORVs, including four-wheel drive pickups, only on designated roads.	The Off-Highway Vehicle Road Travel Access Project Decision Notice will indicate specifically which roads may be traveled by ORVs. There will also be National Forest System roads that ORV travel will not be allowed on. Cross country travel is not allowed on the Chippewa National Forest. In January 2008, a Motor Vehicle Use Map will be available to the public and will indicate National Forest system roads that are open for ORV travel.
The CNF should allow ORVs only during certain seasons of the year. There should be an appropriate law enforcement response if abused.	There are some roads proposed to be open for ORV riding that are open only during certain seasons due to seasonal ground conditions such as wet soil conditions, requirements of threatened, endangered and sensitive species habitat management, and other designated uses such as snowmobiles. All roads will be closed to ORV use from March 1 to May 15 to protect natural resources of the forest.
Requests an EIS Should Be Completed	
The CNF should complete an Environmental Impact Statement (EIS) to analyze the effects of ORV use on the National Forest.	An EIS is not necessary because the scope of the project address ORV use (motorized use) on existing roads only.
Cumulative Effects	
The CNF Off-Road Vehicle Road Travel Access Project failed to analyze cumulative effects.	The Environmental Analysis analyzed cumulative effects regarding ORV use on existing roads and affected natural resources within the context of issues relating to the project. Included in the assessment are cumulative effects to selected recreation, social, economic, transportation, wildlife, hydrology, soils, and wildlife indicators. The cumulative effects from all action alternatives meet Endangered Species Act requirements for threatened and endangered species, and Forest Plan requirements for Regional Forester Sensitive Species, Management Indicator Species and non-native invasive species.
Mitigation Measures	

The CNF should close roads to ORV use If funding is not adequate to effectively manage ORV use.	Congress allocates the National Forest's budgets. This budget is locally allocated for CNF forest management and includes, but is not limited to, allocations for law enforcement, road maintenance, recreation management, and monitoring. If it is found that adequate funding is not available to effectively manage ORV use, the Forest Supervisor will make an administrative decision and that will direct the next step toward effectively managing ORVs.
The CNF should be explicit regarding any terms of agreements with ORV clubs and other partners.	Agreements with partners, including clubs, MN DNR and Counties are developed in collaboration. The agreements are then reviewed by Forest Service agreement specialists to ensure the explicit understanding by all parties regarding expectations of performance and for meeting the legal requirements the Forest Service must adhere to. The Forest Supervisor or District then sign the agreement.
Do Not Allow ORV Use On All or Portions of the CNF	
The CNF should not allow any ORV use because of inescapable negative effects of both legal and illegal use on: non-motorized recreational activities; soil erosion and compaction; water quality; riparian areas; non-native invasive species spread; heritage sites; pollution; fish habitat, vegetation, natural resources; wildlife and it's habitat; ecosystems; the aesthetics and beauty; the health of individuals; fish habitat; wilderness feel; visitors experiences; increased poaching; habitat fragmentation and security; hunting non-motorized heritage; negative effects on small game habitat; scarce small and large game away from hunters; decrease water channel stability; ruin watchable wildlife; wetland hydrology; open roads and trails leads to slowly spreading damage (legal and illegal use); and increased management costs.	36 CFR 219.21[g] says that off-road vehicle use shall be planned and implemented to protect land and other resources, promote public safety, and minimize conflicts with other uses of the National Forest System lands. The CNF Forest Plan includes many desired conditions for the CNF including providing non-motorized and motorized access within the forest to satisfy diverse public interests while maintaining sustainable ecosystems. (Forest Plan 2-39). These sometimes conflicting uses of the CNF necessitate the consideration of the effects of specific management proposals. Detailed analysis regarding significant issues as identified through out the NEPA process of public and agency involvement was done in the environmental assessment. Recreation, wildlife, hydrology, soils, social, economic and environmental justice issues were analyzed by indicators of each issue. The decision maker, the CNF Forest Supervisor, weighs the many possibly conflicting and/or beneficial effects while making a decision. The final decision reflects the understanding and interpretation of issues and effects and priorities of the Forest Supervisor.
The CNF should not allow ORV access to areas previously off-limits, including the Barnum Lake, Suomi and Trout Lake areas.	The current ORV access condition is described in Alternative 1 of the EA. ORVs are not allowed to travel cross-country or on OML 1, 3, 4 and 5 roads and some OML 2 roads (based on natural resource, recreation and social conditions). Additional alternatives suggested both different quantities of miles open for ORV use and different spatial arrangement of ORV accessible roads based on comments made by the public, governmental representatives, and Forest Service land managers. Alternatives 3 and 4 included in their design limiting direct access to non-motorized trails and forest areas. The final decision continues to reflect consideration for limiting access to non-motorized trails and areas in some instances.
The CNF should consider the benefits of NF lands without roaded access; including designation of non-motorized hunter walking trails and other non-motorized areas.	Designation of hunter walking trails and other non-motorized areas was outside the scope of this environmental assessment. However, the EA considered existing opportunities provided for non-motorized access, (such as the North Winnie and Suomi-Trout Lake semi-primitive non-motorized areas; and the national recreation North Country Trail), and the effects the proposed project may have on them. Alternatives 3 and 4 included in their design limiting direct access to non-motorized trails and forest areas. The final decision continues to reflect consideration for limiting access to non-motorized trails and areas in some instances.

The CNF should not allow ORVs on the Woodtick Trail.	Roads of higher development levels, OML 3 and 4 roads, were considered as potential ORV travel opportunities. Which roads proposed for ORV travel was dependant upon the direction of each Alternative. The Woodtick Trail is an OML 3 road and was potentially a road open for ORV travel. A mixed use analysis that evaluated the safety of ORVs combined with highway licensed vehicles using the same road was done for the Woodtick. The Forest Supervisor has chosen not to allow for mixed use traffic on the Woodtick due to the probability and potential severity of accidents between ORVs and highway licensed vehicles.
The CNF should not allow ORV Use in the forest because ORV drivers (approximately 50% of the users - referenced research) will travel off of established trails.	Illegal use is recognized as occurring on the CNF with resulting negative effects. Criteria to reduce illegal use were incorporated into the design of alternatives and the final decision. This includes limiting direct access to non-motorized trails and areas, and continued collaboration with MN DNR, Itasca, Beltrami and Cass Counties; and the LLBO law enforcement personal and ORV recreation managers to provide for cooperative law enforcement, and public information and education. Mitigating measures within the EA (Mitigation Specific to Project and Common to All Alternatives) provides the framework for monitoring and managing ORV use on the CNF. Additionally, the CNF Forest Plan describes expectations for monitoring the effects of motorized and non-motorized use; and a safe, cost effective road system. The Forest Supervisor will direct the CNF regarding future ORV management needs based on the monitoring results.
The CNF should not allow ORV use on the snowmobile trails system in Marcell.	The scope of this EA does not include designating ORV travel on snowmobile trails that are not a part of the Forest System roads. Some roads may have ORV use allowed on them based on the Environmental Assessment analysis, informal agreement with local snowmobile clubs, and Forest Supervisor approval.
The CNF should establish adequate control measures to protect the CNF's natural resources.	A number of measures have been and will be implemented to discourage illegal ORV use off designated roads and trails and encourage legal use of the designated roads. This includes coordination of law enforcement with other land management agencies such as the MN DNR and Cass, Itasca, and Beltrami Counties; effective road closure devices; public information and education; and the selective designation of roads for ORV use. Cooperation with ORV clubs is an important component for increased contacts with ORV riders.
The CNF should protect the North Country Trail from people using ORVs on it.	Limiting direct ORV access on roads immediately adjacent to the North Country Trail (NCT) was taken into consideration in the final decision to reduce opportunities that may lead to illegal ORV use on the NCT. Additionally, a number of measures have been and will be implemented to discourage use off designated roads and trails. This includes coordination of law enforcement with other land management agencies such as the MN DNR; LLBO; and Cass, Itasca, and Beltrami Counties; establishing effective road closure devices; providing public information and education; and the selective designation of roads for ORV use.
Law Enforcement	
The CNF law enforcement personal should enforce ORV riding rules and regulations and eliminate illegal use.	Forest Service law enforcement will continue to work with MN DNR; LLBO; Itasca, Cass and Beltrami Counties; and Tribal law enforcement personal to provide for effective enforcement of Federal regulations and laws and to also provide public education and information. Cooperation with ORV clubs is also an important education and information component to reducing illegal use. Legal and illegal ORV use will continue to be monitored as part of the Forest Plan monitoring program.
The CNF should enhance closure devices and information about the no motor policy in the semi-primitive non-motorized North Winnie area.	Road and trail closures and information about the no motor policy has been and will be installed and made available for the North Winnie semi-primitive non-motorized area. The effectiveness of a variety of road closures has been researched on the CNF and Superior NF recently. This information will be taken into consideration when closing roads and trails to ORV use.



The CNF should not restrict ORV use based on the few that ride ORVs illegally.	Laws and regulations must be applied to all ORV operators. Land management decisions should be made that take into consideration the effects of all uses, including the illegal use of ORVs, on the CNF.
The consequences of illegal use should focus on large fines and confiscation of the vehicle.	Collateral forfeiture amounts for illegal ORV use are determined by the United States District Court - District of Minnesota. Officers may require the defendant to appear in court in which case the Federal Magistrate or Judge determines the sentence up to the current Federal maximums for misdemeanor offenses. Recommendations for change can be made through the political process or by federal officers.
The CNF should fund law enforcement personal so they and enforce ORV regulations.	Congress determines the Forest Service budget. A portion of this money is then assigned to law enforcement projects of national and regional priorities. ORV user contacts are a part of the work responsibilities of CNF law enforcement and are accomplished as allocated budgets support. The collaborative work with the state, counties and Tribal law enforcement organizations is a means of enhancing the Forest Service's and other agencies presence in the area and subsequent visitor/ORV driver contacts.
The CNF should expect that ORV users follow the law.	An operator of an ORV should follow applicable federal and state regulations regarding vehicle and operator laws.
CNF law enforcement should be effective in eliminating illegal ORV use - they are not currently effective.	There is illegal use of ORVs on the CNF. Forest Service law enforcement continues to work with MN DNR, Itasca, Cass and Beltrami Counties; and Tribal law enforcement personal to provide effective enforcement of regulations and laws and also public education and information. The Forest Service will continue to work with ORV clubs to provide information on the legal use of ORVs. Legal and illegal ORV use will continue to be monitored as part of the Forest Plan monitoring program. Future ORV land management decisions will be based on monitoring results.
The CNF should implement a public reporting system for illegal use similar to the MN DNR Turn in Poachers (TIP) program.	Additional discussion with the MN DNR, counties, LLBO, and the public would be a forum to explore this idea.
Monitoring and Evaluation	
The CNF should open roads to ORV use unless there is good reason not to. If indicated, the CNF should close to ORV use year-round.	36 CFR 219.21[g] says that off-road vehicle use shall be planned and implemented to protect land and other resources, promote public safety, and minimize conflicts with other uses of the National Forest System lands. The CNF Forest Plan includes many desired conditions including non-motorized and motorized access within the forest to satisfy diverse public interests while maintaining sustainable ecosystems. (Forest Plan 2-39). Individual roads have been inventoried regarding the natural resource, recreation, social and economic conditions associated with the roads. The development of the environmental assessment's Alternatives assigned roads to be open or closed based on criteria for roads to be open or closed. If alternative criteria or forest conditions indicated, roads were open or closed to ORVs seasonally or permanently. The Forest Supervisor, as the final decision maker, has weighed many possibly conflicting and/or beneficial effects of closing or opening roads to ORV use when making the decision.
The CNF should monitor resource damage and effectiveness of law enforcement.	The CNF Forest Plan describes expectations for monitoring the effects of motorized and non-motorized use; and a safe, cost effective road system. Additionally, mitigating measures within the EA (Mitigation Specific to Project and Common to All Alternatives) provide the framework for monitoring and managing ORV use on the CNF. The Forest Supervisor will direct the CNF regarding future ORV management needs based on the monitoring results.
The CNF should consider that non-motorized and motorized recreational uses sharing the same public lands drives the non-motorized users from the area.	The CNF Forest Plan includes many desired conditions including non-motorized and motorized access within the forest to satisfy diverse public interests while maintaining sustainable ecosystems. (Forest Plan 2-39). These sometimes conflicting uses of the CNF necessitate the consideration of the effects of specific management proposals. The Forest Supervisor, as the decision maker, has weighed the many possibly conflicting and/or beneficial effects while making a final decision.

The CNF should consider offering very limited ORV riding opportunities at first due to the natural resource, social and recreation effects of ORV use.	While an Alternative in the environmental assessment was not developed with these criteria, there are a range of road miles available for ORV use. Alternative 3 includes the least miles of ORV riding opportunities. The enforceability of ORV use is a consideration taken into account in the development of Alternative 2 - Modified. Mitigating measures include monitoring the effects of ORV use on a yearly basis. The Forest Supervisor will consider, in part, future direction of ORV management based on monitoring results.
Comments About the Analysis Process and Documents	
The CNF should consider only signed comments about the draft Off-Highway Vehicle Road Travel Access Environmental Assessment.	To have environmental assessment project appeal rights, comments must be signed. Anonymous comments were considered only in the context of information provided to the assessment authors.
The CNF provided positive opportunities and responses to a variety of organizations to provide input on the assessment. They also outlined their organizational mission.	Thank you for the information and support.
The Leech Lake Band of Ojibwe recapped an informational meeting between the Division of Resource Management and the Forest Service	Thank you for the information. Each project offers the opportunity to learn from the process and enhance the methods of future projects.
The CNF did not provide adequate opportunity to provide input about the assessment.	Thank you for the information. Each project offers the opportunity to learn from the process and enhance the methods of future projects.
The CNF provided positive opportunities and responses regarding the commenting on the assessment.	Thank you for your support.
The CNF should have considered and responded to more concerns within the environmental assessment	Public comments were used to develop alternative ways to meet the purpose of providing ORV opportunities while continuing to manage the CNF as directed by the CNF Forest Plan and other enabling Federal acts, laws and regulations. Hunting access, recreational riding, accessing private property, protecting natural resources and illegal cross-country ORV riding were some of the comments people shared in their responses. Within the framework of the environmental assessment, many of the public comments were analyzed and the final decision was made after understanding and weighing each issue.
The CNF should keep people informed of the issue, success of enforcement, and ORV trail opportunities.	The CNF has a mailing list with names and addresses of people that have commented on the assessment or have indicated an interest in the ORV issue. These people and any others that indicate an interest will receive information as it available.
The CNF should send a hard copy of the draft environmental decision to this person.	Done

The CNF should extend the comment period because of the intricacy of the proposal	An additional comment period for the environmental assessment was provided. A legal ad was published and a notification letter sent to the ORV mailing list to inform people of the extended comment period.
The CNF should not use a CD format because some people could not open the CD containing the environmental assessment information or may not have been able to efficiently moving around within the CD.	The CD format for the environmental assessment information was the first of its kind tried on the CNF for a project. Hard copies of the assessment documents were provided to people not able to access the CD on the computes along with referrals to the CNF web page that contains the draft assessment for people that needed to view the material by that method. Enlarged hard copy maps of specific areas on the CNF were also made available to people.
The CNF included hard copy maps that were hard to differentiate between the colors assigned to roads; the large scale makes the maps hard to read.	Smaller scale maps were mailed and made available to people that indicated they could not read the hard copy small maps. Referral was also made to the CD environmental assessment information and CNF website also included maps where selected areas could be enlarged for better viewing.
The CNF included all Forest Service system roads in the maps and some people appreciated seeing all the roads on the map.	Thank you for the comment.
Consistency	
The CNF ORV riparian management area policy should be consistent with the MN DNR.	The FS must abide by Federal regulations and policies, including standard and guidelines as outlined in the CNF Forest Plan when managing ORV use within riparian areas. The MN DNR also has regulations to follow along with site specific decisions made by the MN DNR Commissioner. Consistency of policies regarding ORV use among state and county lands has been a goal, but given the different legal requirements of each agency, it may not be possible.
The CNF should design routes to positively affect the success of the ORV project.	The environmental assessment considered significant issues in developing alternatives to provide for ORV road riding opportunities. Each alternative designed a road access system that best met the intended objective of the alternative and project. The outcome of the final decision, as made by the CNF Forest Supervisor, is intended to be successful in meeting Forest Plan objectives; and federal policies, regulations and laws.
Collaboration	
The CNF should continue to work closely with the MN DNR and ATV clubs for trail design.	Working with the MN DNR, Leech Lake Band of Ojibwe, Counties, and ATV clubs will enhance the success of ORV management in the area. Designing ORV trails was outside the scope of this project. This project only addressed designating ORV use on existing Forest Service system roads. ORV trail opportunities will be considered in a collaborative setting during the upcoming years.
The CNF should continue to work with private landowners for ORV and highway licensed vehicle access.	The CNF will continue to work with private landowners
The CNF should bring a balance to forest ORV planning vs. giving into corporate interests.	36 CFR 219.21[g] says that off-road vehicle use shall be planned and implemented to protect land and other resources, promote public safety, and minimize conflicts with other uses of the National Forest System lands. The CNF Forest Plan includes many desired conditions including non-motorized and motorized access within the forest to satisfy diverse public interests while maintaining sustainable ecosystems. (Forest Plan 2-39). These sometimes conflicting uses of the CNF necessitate the consideration of the effects of specific management proposals. The decision maker weighs the many possibly conflicting and/or beneficial effects while making a final decision.
Cross Country ORV Use	

The CNF should not allow cross country use or build new trails to protect hunting and angling opportunities and private landowner’s property from the effects of ORV use.	Cross-country use with ORVs is illegal on the CNF (CNF Forest Plan 2004). Travel on unclassified (unauthorized) trails is considered cross country use. The Motor Vehicle Use Map, available in January 2008, will indicate those roads available for ORV use. Over the next few years, ORV trails will be considered for development using the National Environmental Policy Act process that includes opportunities for public involvement and comment.
The CNF should recognize and incorporate into the analysis that people have and will continue to illegally use ORVs cross-country and will cause environmental damage.	Considerations and steps taken to address illegal cross country use by people driving ORVs includes installing successful road closure barriers; collaborative work with state, county and Tribal law enforcement officers; and cooperative work with the ORV clubs to provide information and education. Monitoring information will influence future ORV land management decisions. The design of the final ORV decision includes recognizing sensitive areas and facilities and limiting direct access to these areas by ORVs. The environmental effects have been addressed within the wildlife; hydrology and soils reports within the analysis.
<b>Information and Education</b>	
The CNF should make maps available when hunters pick up their registration or license.	The Forest Service, MN DNR and Counties continue to work together in order to provide the resident and visitor information on ORV riding opportunities. The possibility of the map available at deer hunting stations will be considered. Thank you for the idea.
The CNF should answer the question: "Are trails that are not mapped open to ORV use?"	While the Forest Service, State, Counties, Leech Lake Band of Ojibwe Natural Resource Management, and Townships were engaged in inventorying roads and trails within the CNF boundary, and worked cooperatively to make specific road recommendations for ORV use the maps included in the EA only indicated Forest Service maintained roads. Roads and trails open to ORV use will be included on the Motor vehicle use map that will be available in January 2008. Roads and trails not on the map are not open to ORV use.
The CNF should answer the question: "Will the maps, signs, education and law enforcement be effective for the public to understand where they can ride ORVs and in preventing unauthorized motorized use?"	There are federal, state, county, Tribal and privately owned lands interspersed within the CNF. Subsequently there a variety of public information and education materials and means of public notification due to the complexity of land ownership within the CNF boundary. A Motor Vehicle Use Map (MVUM) will be available to the public that indicates roads open for ORV riding. Roads will be numbered out in the Forest and these numbers will correspond to the MVUM. If the road is not shown on the MVUM map, it is not open for ORV travel. Information will be available on the CNF website, by mail and at a variety of locations. Forest Service; MN DNR; Leech Lake Band of Ojibwe Tribal Law Enforcement; and Itasca; Beltrami; and Cass Counties intend to continue to collaborate while providing law enforcement, and public information and education. Monitoring will be done, and necessary changes made accordingly.
The CNF should answer the questions: "Will the maps be free? When will it be available?"	Yes the maps will be free. The National Travel Management Rule and subsequent implementation by every National Forest, established the expectation that the maps will be free. The CNF MVUM map will be available in January 2008.
The CNF should clearly mark roads open for ORV use and land ownership.	A Motor Vehicle Use Map (MVUM) will be available to the public that indicates roads open for ORV riding. The roads in the CNF have road numbers that correspond to the MVUM. If the road is not shown on the MVUM map, it is not open for ORV travel. The National Travel Management Rule expects that all National Forests will implement the MVUM with associated road identification in the Forest. Land ownership will not be indicated on the MVUM map, however, ownership is shown on the 1/2inch to the mile CNF map available at the CNF information desks in Cass Lake, Blackduck, Walker and Deer River.
<b>The FS Budget Does Not Allow Effective ORV Management</b>	
The CNF should not build new trails because the FS can't afford to effectively close and restore illegal trails.	The scope of this EA only includes designating ORV travel on existing FS system roads. ORV trails will be considered in the future.
The CNF does not have the appropriate budget to	Costs of maintenance were considered within each alternative. Monitoring of ORV riding effects is a mitigation measure within the EA and subsequently

manage the trails and roads to limit liability	monitoring results will be included in the consideration of future management.
The CNF should consider the costs of enforcement and maintenance and base the final project implementation choice on real budgets.	The enforceability of ORV use is a consideration taken into account in the development of Alternative 2 - Modified. Mitigating measures include monitoring the effects of ORV use on a yearly basis and subsequently monitoring results will be included in the consideration of future management.
Leech Lake Band of Ojibwe Interests	
The CNF is mandated to protect the LLBO trust resources and support and protect their federally recognized treaty rights and privileges.	To ensure the rights of sovereign Tribal governments are fully respected, the President has directed agencies to operate within a government to government relationship; to consult with Tribal government prior to taking actions, affecting resources in which Tribal members rely on. The CNF Forest Plan recognizes this responsibility and forest management is implemented accordingly.
The CNF should know that some people use the ATVs for recreational riding on the roads.	Thank you for the information. Recreational use of ORVs on miles of roads open to use along with roads open for ORV use within areas of LLBO interest was used as an indicator in the analysis. Each alternative resulted in different quantities of roads and special arrangement of roads available for ORV use. The affects of different recreational access was taken into consideration by the Forest Supervisor as the final decision was made.
The CNF should not allow ORVs on the Oak Point roads. Some of the roads in the Oak Point area are not Forest Service system roads and the CNF does not have jurisdiction to designate use. Other roads in the area are Forest Service system roads.	Each alternative considered concerns and issues heard from the public and the environmental assessment authors responded by developing different alternatives to meet the projects purpose. Roads in the Oak Point area were open in some alternatives and closed in others. The use of ORVs on miles of roads open for use was used as an indicator in the analysis. Each alternative resulted in different quantities of roads and special arrangement of roads available for ORV use. The affects of different access was taken into consideration by the Forest Supervisor as the final decision was made.
Alternatives	
The CNF should have expanded the significant issues beyond mainly providing more ORV access.	Issues and concerns shared by the public, other agencies and governments and Forest Service employees were reviewed to identify the significant issues analyzed in the environmental assessment. Indicators were assigned to each issue and were analyzed within the assessment. The assessment information was carefully considered by the Forest Supervisor, as decision maker, when making a final decision.
The CNF did not include alternatives that reduced the influence of ORVs on the Forest.	Within the National Environmental Policy Act process a range of issues were identified and analyzed with a variety of indicators to best meet the purpose of the project. Alternatives were developed that reduced roads open to ORV travel as compared to the current condition. Alternative 3 reduced ORV road access the most. The information in the assessment, along with consideration potential enforceability, spring seasonal access restrictions and duplication of roads and access to points all were considered by the Forest Supervisor (as the decision maker) in the final decision.
The CNF developed four alternatives are preservation driven and do not meet the needs of ORV riders.	Within the National Environmental Analysis process, a proposed action and alternatives to it are developed in response to public and professional land manager's comments. Within the ORV Road Travel Access Project EA, a range of alternatives were developed based natural resource, social and economic issues. The alternatives developed incorporate site specific concerns expressed during scoping, as well as a range of competing and valid management concerns and opportunities. Each alternative proposes a different combination of roads in terms of location and miles to be open to ORV use. Mitigation measures in response to potential concerns of project implementation are also included within each alternative that addresses law enforcement; public education and information; visitor information; and monitoring. The information in the assessment, and the potential enforceability of an alternative; spring seasonal access; and duplication of roads and access to points were all considered by the Forest Supervisor (as decision maker) in the final decision.

The CNF should keep a road open to ATVs if it has been traditionally used without damage.	An inventory of Forest Service system roads was completed within the analysis process. Current road use and road surface condition, natural resources including wildlife, land management past decisions, and proximity to sensitive facilities or areas was identified within the process. This inventory was considered as the roads were identified within the environmental assessment as potential roads to be designated as open for ORV use. Conditions outside of the road condition were taken into consideration within the final decision on which roads will be open to ORV use.
The CNF should select Alternative 1: People support Alternative 1 because arterial (higher level of development) roads are closed	The analysis identified issues, concerns, and indicators to compare and contrast the actions of each alternative. Each alternative identified a different quantity of road and spatial arrangement of roads open to ORV use across the forest based on response to issues. The resource, recreational, social and economic effects vary between alternative. The Forest Supervisor, as the decision maker, reviewed public comments and all documents within the environmental assessment. Based on this information the decision has been made to implement the chosen alternative. That decision includes some arterial roads open to ORV use while others are closed to respond to specific road inventory information and the overall direction of the alternative.
The CNF should not select Alternative 1: People do not support Alternative 1 because arterial roads are closed; and economic benefits would not be provided to the Remer area.	The analysis identified issues and concerns and indicators to compare and contrast the proposed actions of each alternative. Each alternative identified a different quantity of road and spatial arrangement of roads open to ORV use across the forest based on response to issues. The resource, recreational, social and economic effects vary between alternative. The Forest Supervisor, as the decision maker, reviewed public comments and all documents within the environmental assessment. Based on this information the decision has been made to implement the chosen alternative. The final decision includes some arterial roads open to ORV use while other roads are closed to respond to specific road inventory information and the overall direction of the alternative, including recognizing the economic value of ORV use to the Remer area.
Alternative 3: People do not support Alternative 3 because roads would not provide connections to longer riding opportunities in the Remer area; economic benefits to Remer; closes links for recreational ATV riders; and restricts forest access.	The analysis identified issues and concerns and indicators to compare and contrast the proposed actions of each alternative. Each alternative identified a different quantity of road and spatial arrangement of roads open to ORV use based on response to issues. Natural resource, recreational, social and economic effects vary between alternatives. The Forest Supervisor, as the decision maker, reviewed public comments and all documents within the environmental assessment. The final decision is Alternative 2 with some modifications. Alternative 2 modified responds to many of the issues people, organizations, agencies and government have with the project. These included but are not limited to - somewhat limiting direct ORV access to the North Country Trail; somewhat limits direct ORV access to semi-primitive non-motorized areas and trails; opens most of the OML 2 and some OML 3 and 4 roads to ORV use while meeting the Forest Plan standards and guidelines and mitigation measures within the environmental assessment.
The CNF should select Alternative 4: People support Alternative 4 because it provides connections between roads; increased economic revenue for Remer; most logical for the area; opens additional roads during hunting season benefiting hunters; it is the lesser of the evil alternatives; keep riders in places they belong with more roads to ride; ATV friendly; opens most miles for ATV use; and increases access to forest products users.	The analysis identified issues and concerns and indicators to compare and contrast the proposed actions of each alternative. Each alternative identified a different quantity of road and spatial arrangement of roads open to ORV use across the forest based on response to issues. The resource, recreational, social and economic effects vary between alternative. The Forest Supervisor, as the decision maker, reviewed public comments and all documents within the environmental assessment. Based on this information the decision has been made to implement the chosen alternative. The final decision is Alternative 2 with some modifications. Alternative 2 modified responds to many of the issues people, organizations, agencies and government have with the project. These included but are not limited to providing for longer ORV riding opportunities; provides for potential economic benefit from ORV riding; provides for most of the OML 2 roads to be open, along with some of the OML 3 and 4 roads. It does not open roads to ORV riding only during hunting season, but most roads are open during hunting season.
The CNF should expand the hunting season dates to include bear season and open more roads during hunting season in Alternative 4.	The dates as of the bear season would have been taken into consideration had opening roads to ORVs only during hunting season been selected as part of the final decision. Additional roads in Alternative 4 were not considered due to the Alternative's design criteria of providing for limited access to semi-primitive areas or non-motorized trails, providing for extended riding opportunities and reducing the amount of short spur roads open for ORVs.

**Policy**

The previous CNF ORV policy was open unless posted closed.	The Chippewa National Forest has been open to ORV use on forest development roads and trails unless posted closed. The current Forest Supervisors Road Closure Order does not allow for ORV use on OML 1, 3, 4, or 5 roads and does close some OML 2 roads to ORV use. Cross-country motorized travel off of forest development roads and trails was prohibited by the 1986 and 2004 Forest Plans.
The FS should by policy not encourage the use of combustion machines because of the effects on the natural resources; visitor experiences in the national forests; and wasting energy resources	The Forest Service is directed by many laws, regulations and policy to provide for the multiple use of the national forests. Changes in laws directing the management of the National Forests must be accomplished at the federal congressional and administrative levels.
Definitions	
The CNF should define what vehicles are included in the ORV and ORV definition.	ORV and ORV are phrases for any motorized vehicle designed for or capable of cross-country travel on or immediately over land, water, sand, snow , ice, marsh, swampland, or other natural terrain. It does not include motorboats; emergency purpose vehicles; or vehicles authorized by the respective agency under a permit, lease, or agreement.
The CNF should define this project as occurring solely on CNF owned lands.	The assessment and final decision only applies to Forest Service system roads - those roads only under the jurisdiction of the Forest Service.
the CNF should explain why was a wheelchair defined.	Definitions are important to explain the context of the environmental assessment and the final decision
The CNF should define Executive Orders 11644 and 11989.	The executive orders direct federal land management agencies to manage off-road motor vehicle use to minimize environmental impact and user conflicts.
Forest Plan Amendment	
The CNF should not consider the Forest Plan Amendment non-significant because of the dramatic change in road use and subsequent controversial effects.	The 2004Forest Plan includes the following guideline: G-ORV-1 ORV use is generally prohibited on OML 3, 4, and 5 roads. (Forest Plan pg. 2-44). It also defines guidelines as "...preferable limits to management actions that may be followed to achieve desired conditions. Guidelines are generally expected to be carried out. They help the Forest to reach the desired conditions and objectives in a way that permits operational flexibility to respond to variations over time. Deviations from guidelines must be analyzed during project-level analysis and documented in a project decision document, but these deviations do not require a Forest Plan amendment. (Forest Plan pg. 1-7). That definition is also included in the Glossary (Forest Plan pg GLOSSARY -10). It is incorrect to say that "the Forest Plan states that OML 3, 4 or 5 roads will have no ORV traffic" or that ATV traffic on these roads is "prohibited". Deviation from guidelines is clearly allowed for in the Forest Plan as long as the deviations are analyzed and documented in the decision document. There is no set limit as to how often or what percentage of time constitutes "generally expected to be carried out" and technically the decision to allow ATV use on some higher level roads may not require an amendment, however the decision maker feels that the amended guideline more clearly conveys our intent. Depending on the selected alternative the decision maker may or may not include the non-significant amendment as part of his decision. The non-significant Forest Plan amendment is proposed contemporaneously (at the same time) with the Decision for this project. 36 CFR 219 allows us to "Amend the plan contemporaneously with the approval of the project or activity so that it will be consistent with the plan as amended." And states that "The project documentation serves as the evaluation report for the plan amendment". The number of roads or miles of higher level road open to ATV traffic is not a criterion of significance. It is the effect of ATV travel on these roads that could trigger an Environmental Impact Statement (EIS). The effects are displayed in the EA. If after review of the analysis, the decision maker determines that there is a significant environmental impact, an EIS would be prepared.

<p>The CNF should analyze the Forest Plan amendment in an EIS.</p>	<p>The USDA Office of the General Counsel document entitled OVERVIEW OF FOREST PLANNING AND PROJECT LEVEL DECISION MAKING (2002) describes the difference between Forest Plan level decisions and project level decisions as staged decision making and states that: “ [under]16 USC 1604(e). Plan approval, amendment and revision does not authorize, fund or carry out any projects, unless specifically stated in the decision document.” Effects are the result of implementing the project and the Forest Plan does not approve site specific projects. The Courts have long upheld the staged decision making of forest plans and projects. In Swan View Coalition v. Turner the court noted the nature of Forest Plans: the Forest Plan is a broad framework for the management of a National Forest which does not directly commit to development. Allowing for additional review at each subsequent stage of development recognizes both the managerial purpose of a Forest Plan to provide mechanisms for monitoring and regulating future development as well as its inherent limitations in predicting what development will actually occur. 824 F. Supp. at 935.</p>
<p>The CNF should analyze natural resource issues related to the Forest Plan amendment in an EIS because of the amount of higher level development roads open to ORV traffic.</p>	<p>The number of roads or miles of higher level road open to ATV traffic is not a criterion of significance. It is the effect of ATV travel on these roads that could trigger an Environmental Impact Statement (EIS). The effects are displayed in the EA. The effects of increased traffic and the potential for the spread on non-native invasive species are included in the EA. If after review of the analysis, the decision maker determines that there is a significant environmental impact, an EIS would be prepared.</p>